

THE  
LOUISIANA CONSTITUTIONAL  
CONVENTION OF 1974  
COMMITTEE DOCUMENTS  
AND THE CONSTITUTION











# **Records of the Louisiana Constitutional Convention of 1973: Committee Documents and User Guides**

## **VOLUME FOURTEEN B**

by

**LOUISIANA CONSTITUTIONAL CONVENTION RECORDS COMMISSION**

Moise W. Dennery, Chairman  
A. Edward Hardin, Coordinator of Research

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LOUISIANA CONSTITUTIONAL CONVENTION RECORDS COMMISSION

## LOUISIANA CONSTITUTIONAL CONVENTION RECORDS COMMISSION

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A. Edward Hardin, Coordinator of Research



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**COMMITTEE ON  
LEGISLATIVE LIAISON  
AND  
TRANSITIONAL MEASURES**



# I. Minutes

## A. Full Committee Minutes

### MINUTES

Minutes of the meeting of the Committee  
on Legislative Liaison and Transitional  
Measures of the Constitutional Convention  
of 1973

Held pursuant to notice mailed by the  
Secretary of the Convention on April 23,  
1973

Room 205, State Capitol, Baton Rouge,  
Louisiana  
Monday, April 30, 1973, 6:30 p.m.

Presiding: Edward F. LeBreton, Jr., Chairman of Committee  
on Legislative Liaison and Transitional Measures

#### Present:

Rep. Edward F. LeBreton, Jr.  
Mary Zervigon  
Rep. Thomas A. Casey  
Rep. Edward J. D'Gerolamo  
Rep. R. Harmon Drew  
Calvin D. Fayard  
H. G. Hardee, Jr.  
Rep. Johnny Jackson, Jr.  
Sen. Louis F. Lambert, Jr.  
Walter I. Lanier, Jr.  
Kendall Vick  
Rep. Lantz Womack

#### Absent:

Rep. Conway LeBleu  
Edward N. Lennox  
Rep. Robert Munson  
Sen. B. B. Rayburn  
Jasper K. Smith  
Rep. Richard S. Thompson

The meeting was called to order at 6:30 p.m., roll call taken and a quorum established. Chairman LeBreton stated that the Coordinating Committee had appointed a Subcommittee on Alternatives to study a suggestion presented in one of its meetings with respect to a method of handling statutory material to be deleted from the present constitution and generally, the format of the new constitution. He pointed out that the Coordinating Committee has referred the subcommittee's report to this committee for its consideration. The purpose of this meeting is to receive the report of the Subcommittee on Alternatives, which will be presented by Justice Albert Tate who chaired the subcommittee, and take whatever action the committee deems necessary with respect thereto.

Judge Tate presented the Final Report from the Subcommittee on Alternatives to the Coordinating Committee, CC 73, dated April 14, 1973, a copy of which is attached hereto and made a part of these minutes, along with a copy of Subcommittee on Alternatives Staff Memorandum No. 3. After Judge Tate's presentation, through questions posed and answered and general discussion, the method set out in the report was explored and explained.

Following discussion it was decided that due to its importance, this matter should be explored in depth by this committee. Mr. Lanier moved that the chairman appoint a subcommittee to meet one time and study methods providing for orderly transition from the 1921 Constitution to the new and

report back to the committee for approval and recommendations. Motion carried with the following: Mr. LeBreton

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stated that he would appoint a subcommittee with Mr. Lanier as chairman in the near future and inform the committee of the appointments by letter.

The committee discussed the necessity of its continuation after the deadline of January 4, 1974 as set out in Act 2 of the 1972 Regular Session. Mr. Womack moved that a resolution be adopted for presentation to the Executive Committee of the Convention calling attention to the fact that in this committee's opinion there could exist a need for this committee, some other committees, and at least a portion of the research staff to continue after January 4, 1974, and that this committee be continued if necessary. The resolution was adopted without objection, and a copy of the resolution is attached hereto and made a part of these minutes.

The meeting adjourned at 9:00 p.m.

Edward F. LeBreton, Jr., Chairman

Mary Zervigon, Vice Chairman

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### NOTES

Report of the Subcommittee on Alternatives of the Coordinating Committee and their Staff Memo. No. 3 may be found below in the Minutes of the Coordinating Committee of April 2, 1973.

Constitutional Convention of the State of Louisiana of 1973  
EXECUTIVE COMMITTEE RE: L.L.C. NUMBER  
Introduced by

1. A RESOLUTION
2. Passed by a majority of the Convention after adoption of
3. 1973.
4. WHEREAS, the members of the Committee on Legislative Liaison and Transitional Measures, at its meeting held on
5. Monday, April 30, 1973, discussed the work which is
6. required of the Committee within its jurisdiction in accordance with
8. the official Rules of the Constitutional Convention of

Louisiana of 1973, and the consensus of the committee is that its work, particularly with respect to the preparation of transitional legislative measures necessary to effectuate the new constitution in all likelihood will require the continued existence of said committee beyond December 31, 1973; and

WHEREAS, the deliberations of said committee have brought to the fore the fact that other necessary business in connection with the work of the convention will require activity and transaction of business after the date set forth in Act 2 of 1972 as the termination date of this convention, in order to terminate the affairs of the convention in orderly fashion; and

WHEREAS, a partial listing of affairs which will or may require attention after the aforesaid date include

business affairs handled by the treasurer and the secretary of the convention; dissolution of staff activity and distribution of purchased and/or leased equipment, library and the like; possible preparation and publication of convention documents and studies; and others; and

WHEREAS, no regular session of the legislature will be held after the session which convenes on May 14, 1973. NOW, THEREFORE, BE IT RESOLVED by the Committee on Legislative Liaison and Transitional Measures hereby respectfully directs the attention of the Executive Committee of the Constitutional Convention to the above mentioned facts and urges that it give such consideration as it deems advisable to the desirability and necessity for seeking such legislative authorization as is required to assure that essential business of the convention may be transacted after the date set forth in Act Number 2 of the 1972 Regular Session for the termination of the convention.

Adopted \_\_\_\_\_

#### MINUTES

Minutes of the meeting of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with Convention rules

Committee Room 9, State Capitol, Baton Rouge, Louisiana, July 11, 1973, 2:30 p.m.

Presiding. Edward F. LeBreton, Jr., Chairman of the Committee on Legislative Liaison and Transitional Measures

#### Present:

Thomas A. Casey  
Edward J. D'Gerolamo  
R. Harmon Drew  
Calvin C. Fayard  
Walter I. Lanier, Jr.  
Conway Indieu  
Edward F. LeBreton  
H.G. Hardee  
Edward H. Lennox  
Jasper K. Smith  
Richard S. Thompson  
Rendall Vick  
Mary Zervigon

#### Absent:

Johnny Jackson, Jr.  
Louis J. Lambert, Jr.  
Robert Munson  
B.B. Rayburn  
Lantz Womack

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The meeting was called to order by Chairman LeBreton at 2:30 p.m. The roll was called and a quorum was established. The minutes of the meeting of April 30, 1973, were read and approved on motion of Mr. D'Gerolamo.

Mr. Lanier, chairman of the Subcommittee on Alternative Methods of Transposition, submitted the report of the subcommittee and the various aspects of the report were discussed by those present.

Mr. Fayard moved to adopt the report of the Subcommittee on Alternative Methods of Transposition, with leeway to have language changes if necessary after counseling between the chairman of the subcommittee and the chairman of the committee. Motion carried.

Mrs. Zervigon moved to authorize the chairman of the Committee on Legislative Liaison and Transitional Measures to seek a joint meeting of the chairman and any members of said committee who wish to attend with the Coordinating Committee as soon as possible for the purpose of presenting the recommendation of this committee to the Coordinating Committee before presentation to the full convention. Motion carried.

The meeting adjourned at 4:40 p.m.

  
Edward F. LeBreton, Jr., Chairman

  
Mary Zervigon, Vice Chairman

#### MINUTES

Minutes of the meeting of the Committee on Legislative Liaison and Transitional Measures with the Coordinating Committee of the Constitutional Convention of Louisiana of 1973

Held pursuant to notice by the Secretary in accordance with Convention rules

Ante Room, White House Inn, Baton Rouge Louisiana, August 3, 1973, 12:30 p.m.

Presiding: Edward F. LeBreton, Jr., Chairman of the Committee on Legislative Liaison and Transitional Measures

Committee on Legislative Liaison and Transitional Measures:

Present: Thomas A. Casey, ex officio  
Edward J. D'Gerolamo  
Calvin C. Fayard  
H.G. Hardee, Jr.  
Walter I. Lanier  
Conway LeBlou  
Edward F. LeBreton, Jr.  
Edward N. Lennox  
Robert Munson  
Benjamin B. Rayburn  
Richard S. Thompson  
Randall Vick  
Mary Zervigon

Absent: R. Harmon Drew  
Johnny Jackson, Jr.  
Louis J. Lambert, Jr.  
Jasper K. Smith  
Lantz Womack

so they may determine their particular requirements. He stated that, hopefully, their deliberations will preclude bringing up a mass of detail on the convention floor; further, that their ideas will be valuable in future meetings.

Chairman LeBreton stated that we will have another joint meeting within a week or two.

The meeting adjourned at 1:15 p.m.

*Edward F. LeBreton, Jr.*  
Edward F. LeBreton, Jr., Chairman  
*Mary Zervigon*  
Mary Zervigon, Vice Chairman

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Coordinating Committee:

Present: David Poynter, representing Chairman E.L. "Bubba" Henry  
Cecil R. Blair, Chairman, Committee on Legislative Powers and Functions  
James L. Dennis, Chairman, Committee on the Judiciary  
Alphonse Jackson, Jr., Chairman, Committee on Bill of Rights and Elections  
Ruth Loyd Miller, First Vice Chairman, CC/73  
Chalrin O. Perez, Chairman, Committee on Local and Parochial Government  
Benjamin B. "Sixty" Rayburn, Chairman, Committee on Revenue, Finance and Taxation  
Horace C. Robinson, Member, Committee on Education and Welfare  
Tom Staggs, Chairman, Committee on the Executive Department  
Absent: Louis J. Lambert, Jr., Chairman, Committee on Natural Resources and Environment

Staff members present were: Roy Fugler, Assistant to Chairman Henry; Norma M. Duncan, Director of Research Staff; and Audrey D. LeBlanc, Research Coordinator.

The meeting was called to order by Chairman LeBreton at 12:30 p.m. The roll was called and a quorum was established for each committee.

Chairman LeBreton stated that the purpose of this meeting was to present the recommendations of our committee to the Coordinating Committee pertaining to the transition of our laws from the present position to the new position. He asked Mr. Walter I. Lanier, Chairman of the Subcommittee on Alternative Methods of Transposition, to present the results of the subcommittee's deliberations.

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Mr. Lanier distributed copies of a draft resolution (copy attached as Appendix A). He explained the reasoning of the subcommittee's outlining of categories and asked for opinions, comments and suggestions. Discussion of broad aspects of the draft resolution followed, being necessarily limited because of the short time available before the convention reconvened.

Chairman LeBreton requested that the members of the Coordinating Committee present this matter to their eight substantive committees

- CC-11-6
- 1 Constitutional Convention of Louisiana of 1973
  - 2 COMMITTEE RESOLUTION NUMBER
  - 3 Introduced by Delegate LeBreton, Chairman, on behalf of the
  - 4 Committee on Legislative Liaison and Transitional
  - 5 Measures and Delegate Henry, Chairman, on behalf of
  - 6 the Coordinating Committee and Delegates Arthur, Blair,
  - 7 Dennis, D'Gerolamo, Drew, Fayard, Hardee, A. Jackson,
  - 8 J. Jackson, Lambert, Lanier, LeBlou, Lennox, Miller,
  - 9 Munson, Perez, Rayburn, Smith, Staggs, Thompson, Vick,
  - 10 Womack, and Zervigon

A RESOLUTION

- 12 To recommend categories for the orderly transition of
- 13 material from the Louisiana Constitution of 1921.
- 14 WHEREAS, the official rules of this convention
- 15 contemplate that the Coordinating Committee shall assure
- 16 that all provisions of the Constitution of 1921, as
- 17 amended, be considered by at least one substantive committee;
- 18 and
- 19 WHEREAS, said rules vest in the Committee on Legisla-
- 20 tive Liaison and Transitional Measures jurisdiction over
- 21 matters of transition of subject matter from the constitution
- 22 to appropriate law; and
- 23 WHEREAS, the members of these committees have studied
- 24 various methods of transposition and the coordination of
- 25 transition procedures with the substantive committees and
- 26 after deliberation recommend that the convention immediately
- 27 establish categories into which subject matter can be placed
- 28 in order to facilitate the work and deliberations of the
- 29 convention;
- 30 NOW, THEREFORE, BE IT RESOLVED that each of the eight
- 31 substantive committees, of the Constitutional Convention of
- 32 Louisiana of 1973, in its deliberations, shall divide the
- 33 material within its jurisdiction into the following categories:
- 34 1. Substantive basic constitutional provisions.
- 35 2. Those matters which will be transposed as statutory

Coordinating Committee:

Present: Edward Hardin and David Poynter, representing Chairman E.L. "Bubba" Henry  
 James L. Dennis  
 Alphonse Jackson, Jr.  
 Ruth Loyd Miller  
 Anthony M. Rachal, representing Robert M. Aertker  
 Tom Stagg  
 Absent: Cecil R. Blair  
 Louis J. Lambert, Jr.  
 Chalin O. Perez  
 Benjamin B. Rayburn

Subcommittee on Alternatives of the Coordinating Committee:

Present: Chairman Albert Tate, Jr.  
 DeVan D. Daggett  
 Norma M. Duncan  
 Edward F. LeBreton, Jr.  
 Absent: Camille F. Gravel, Jr.  
 R. Gordon Kean  
 Chalin O. Perez

Committee on Legislative Liaison and Transitional Measures:

Present: Chairman Edward F. LeBreton, Jr.  
 Vice Chairman Mary Sevilgen  
 Thomas A. Casey, ex officio  
 Walter I. Lanier, Jr., Chairman of the Subcommittee on Alternative Methods of Transposition  
 R. Harmon Drew  
 Richard S. Thompson

The roll was called and a quorum was established. The chairman announced that the purpose of the meeting was to reach a decision on a draft resolution prepared by the two committees. The Committee Resolution, to recommend categories for the orderly transition of material from the Louisiana Constitution of 1921, was read (see CC-1130, a copy of which is attached hereto and made a part of these minutes).

Delegate Alphonse Jackson, Jr. moved to adopt the Resolution. Delegate Tom Stagg seconded the motion.

Delegates present discussed language changes pertinent to items one through four, and the possible alternatives as contained in item six.

Delegate James L. Dennis moved the previous question.

Delegate Tom Stagg offered a substitute motion that items one, two, three, and four be rewritten by Chairman Edward F. LeBreton, Jr., Chairman Walter I. Lanier, Jr. of the subcommittee, and Mrs. Norma M. Duncan, Director of Research; that item six be deleted; and that the revised resolution be introduced to the convention. Motion carried.

The revised Committee Resolution (CC-1198) was introduced to the convention on the same day.

A copy of CC-1198 is attached hereto and made a part of these minutes.

The meeting adjourned at 8:30 a.m.

Edward F. LeBreton, Jr., Chairman

Mary Sevilgen, Vice Chairman

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MINUTES

Minutes of the meeting of the Coordinating Committee, including its Subcommittee on Alternatives, with the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of Louisiana of 1971.

Held pursuant to notice by the Secretary in accordance with Convention rules

Ante Room, White House Inn, Baton Rouge  
 Louisiana, 7:45 a.m., August 29, 1973

Present: Edward F. LeBreton, Jr., Chairman of the Committee on Legislative Liaison and Transitional Measures

NOTES

CC-1198 is reproduced as Committee Resolution No. 11 in Volume IV, above.  
 CC-1130 is reproduced in the Minutes of August 3, 1973, above.

MINUTES

Minutes of the meeting of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of Louisiana of 1973



Held pursuant to notice by the Secretary  
in accordance with Convention rules

On the floor of the Convention, Independence  
Hall, White House Inn, Baton Rouge, Louisiana  
August 29, 1973, 5:00 p.m.

Presiding: Edward F. LeBreton, Chairman, Committee on  
Legislative Liaison and Transitional Measures

Present: Edward J. D'Gerolamo  
Calvin C. Fayard  
Johnny Jackson, Jr.  
Walter I. Lanier, Jr.  
Conway LeBlau  
Edward F. LeBreton  
Edward N. Lennox  
Robert Munson  
Richard S. Thompson  
Kendall Vick  
Lantz Womack  
Mary Zervigon

Absent: Thomas A. Casey, ex officio  
R. Harmon Drew  
H.G. Hardee, Jr.  
Louis J. Lambert  
B.B. Rayburn  
Jasper K. Smith

Mrs. Norma M. Duncan, Director of Research, was present.

The meeting was called to order by Chairman LeBreton at 5:00 p.m.  
The roll was called and a quorum was established.

Chairman LeBreton announced that the purpose of this meeting was to  
consider Committee Resolution Number 11 and report on it to the  
convention.

Committee Resolution Number 11 was read. Motion by Delegate  
Thompson that we report favorably to the Convention carried by  
unanimous vote.

A copy of Committee Resolution Number 11 is attached hereto  
and made a part of these minutes.

The meeting adjourned at 5:15 p.m.

Present: Emile M. Comar, Jr.  
Edward J. D'Gerolamo  
R. Harmon Drew  
Louis J. Lambert, Jr.  
Walter I. Lanier, Jr.  
Edward N. Lennox  
B.B. "Sixty" Rayburn  
Jasper K. Smith  
Richard S. Thompson  
Kendall Vick  
Mark K. Zervigon

Absent: Calvin C. Fayard  
H.G. Hardee, Jr.  
Johnny Jackson, Jr.  
Conway LeBlau  
Robert Munson  
Lantz Womack

The meeting was called to order by Vice Chairperson Zervigon  
at 1:00 p.m. The roll was called and a quorum was established.

Acting Chairperson Zervigon introduced the Honorable Emile F.  
Comar, Jr., who was appointed to replace Delegate LeBreton whose  
resignation had been announced to the convention.

Acting Chairperson Zervigon stated that the purpose of  
the meeting was to elect a chairperson to fill the vacancy  
created by the resignation of the Honorable Edward F.  
LeBreton, Jr.

Delegate Jasper K. Smith nominated Delegate Zervigon for  
the office of chairperson of the committee. There were no  
other nominations and Delegate Zervigon was elected unanimously  
to that office, thereby creating a vacancy in the office of  
vice chairperson.

Delegate Eddie J. D'Gerolamo nominated Delegate R. Harmon  
Drew for the office of vice chairperson of the committee.  
There were no other nominations and Delegate Drew was elected  
unanimously to that office.

Mary K. Zervigon, Chairperson

R. Harmon Drew, Vice Chairperson

#### MINUTES

Minutes of the meeting of the Committee on  
Legislative Liaison and Transitional Measures  
of the Constitutional Convention of Louisiana  
of 1973

Held pursuant to notice by the Secretary in  
accordance with Convention rules

At the White House Inn, Baton Rouge, Louisiana  
October 26, 1973

Presiding: Mary K. Zervigon, Chairperson, Committee on  
Legislative Liaison and Transitional Measures

Present: Edward J. D'Gerolamo  
R. Harmon Drew  
H.G. Hardee, Jr.  
Johnny Jackson, Jr.  
Walter I. Lanier, Jr.  
Conway LeBlau  
Edward N. Lennox  
Jasper K. Smith  
Richard S. Thompson  
Kendall Vick  
Mary K. Zervigon

Absent: Emile M. Comar, Jr.  
Calvin C. Fayard  
Louis J. Lambert, Jr.  
Robert Munson  
B.B. "Sixty" Rayburn  
Lantz Womack

The meeting was called to order by Chairperson Mary K. Zervigon  
at 12:30 p.m. The roll was called and a quorum was established.  
Chairperson Zervigon announced that the purpose of the meeting was  
to discuss the necessity of extending the deadline date as set forth  
in Committee Resolution Number 11 on page 3, line 13; further, the  
discuss work to be done in the future by the committee.

#### NOTES

Committee Resolution No. 11, reprinted  
as engrossed, is reprinted in Volume IV,  
above.

#### MINUTES

Minutes of the meeting of the Committee  
on Legislative Liaison and Transitional  
Measures of the Constitutional Convention  
of Louisiana of 1973

Held pursuant to notice by the Secretary  
in accordance with Convention rules

On the floor of the Convention, Independence  
Hall, White House Inn, Baton Rouge, Louisiana  
September 12, 1973, 1:00 p.m.

Presiding: Mary K. Zervigon, Vice Chairperson, Committee on  
Legislative Liaison and Transitional Measures

Delegate Walter I. Lanier, Jr., moved that the deadline date for the submission of reports by the substantive committees be extended to "within ten days after first enrollment of each committee and delegate proposal or by November 15, 1973, whichever is the later date." There was no objection and the motion carried.

Discussion followed regarding future work of the committee. The consensus was to set up liaison with the Committee on Style and Drafting. Reports submitted by the substantive committees would be on the agenda for the next meeting.

There was no additional business to be considered at the time and the meeting adjourned at 12:50 p.m.

Mary K. Zervigon, Chairperson

R. Harmon Drew, Vice Chairperson

# MINUTES

Minutes of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with the Rules of the Convention

Treaty Room, White House Inn, Baton Rouge, Louisiana  
Monday, January 14, 1974, 8:30 a.m.

Presiding: Mary K. Zervigon, Chairperson of the Committee on Legislative Liaison and Transitional Measures

## Present:

Mr. Emile M. Comar, Jr.  
Representative R. Harmon Drew  
Mr. H.G. Hardee, Jr.  
Mr. Louis M. Jones  
Senator B.B. Rayburn  
Mr. Jasper K. Smith  
Representative Richard S. Thompson  
Mr. Kendall Vick  
Representative Lantz Womack  
Ms. Mary K. Zervigon  
Representative Tom Casey, ex officio

## Absent:

Representative Edward J. D'Gerolamo  
Mr. Calvin C. Fayard  
Representative Johnny Jackson, Jr.  
Senator Louis J. Lambert, Jr.  
Mr. Walter I. Lanier, Jr.  
Representative Conway LeBlau  
Mr. Robert Munson

The meeting was called to order at 8:45 a.m. The roll was called and a quorum was established.

Chairperson Zervigon stated that the purpose of the meeting was to consider the draft of a Committee Proposal "ARTICLE XIV. TRANSITIONAL PROVISIONS" prepared by the staff. A copy of that document is attached to and made a part of these minutes as APPENDIX A.

Section 1. Limitation on Transitional Provisions. Adopted without change.

Section 2. References to 1921 Constitution. Adopted without change.

Section 3. Effect of Titles, Etc. The committee concurred in amending the heading to read "Effect of Titles". Section 3 was adopted as amended.

Section 4. Inherent Powers of Legislature. Adopted without change.

Section 5. Continuation of Actions, Rights, Etc. The committee concurred in amending the heading to read "Continuation of Actions and Rights". Adopted as amended.

Section 6. Protection of Existing Taxes. Adopted without change.

Section 7. Impairment of Contracts Prohibited. The committee concurred in amending the heading to read "Impairment of Debt Obligations Prohibited". Adopted as amended.

Section 8. Existing Officials. The committee concurred in amending the Section by deleting lines 27 through 31, both inclusive, in their entirety and on line 32, deleting the words and punctuation "is abolished or his successor selected," and inserting revised language so that the whole Section would read:

"Section 8. A person holding an office by election shall continue to exercise his powers and duties until his office is abolished or his successor takes office, as provided by law. A person holding an office by appointment shall continue to exercise his powers and duties until his office is abolished, his term ends, or he is removed or replaced under the provisions of this constitution or by law. Each public body shall continue to exercise its powers and duties until changed as provided by this constitution or by law."

Section 9. Provisions of 1921 Constitution Made Statutory. The committee concurred in amending Paragraph (A) to include the heading "(A) Provisions Continued as Statutes" and, on line 5, after the word "statutes" and before the colon ":" to insert the punctuation and words "s", with the same effect as on the effective date of this constitution"

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Representative Thompson moved to amend Paragraph (B) of Section 9, on line 34, after the numerals "XIII" and before the word "shall" by inserting the words "of this constitution". Motion carried.

The committee concurred in adopting Section 9, as amended, with the right to change it after careful review by this committee with each substantive committee for possible errors in the detailed information which is contained in Paragraph (A).

Section 10. Provisions of 1921 Constitution Repealed. Mr. Vick moved the adoption of Section 10 without change. Motion carried.

Section 11. Existing Laws. Representative Womack moved the adoption of Paragraph (A) without change. Motion carried.

Mr. Hardee moved the adoption of Paragraph (B) without change. Motion carried.

Section 11 was adopted without objection and without change.

Section 12. Constitution Not Retroactive. Representative Womack moved the adoption of Section 12 without change. Motion carried.

Section 13. Civil Service Commissions. This was adopted on the convention floor.

Section 14. Legislative Provisions.

Paragraph (A) was adopted on the convention floor.

Paragraph (B) was a recommendation of a substantive committee and was, therefore, adopted without change.

Paragraph (C) was adopted without change.

Paragraph (D) was adopted without change.

Representative Thompson moved the adoption of Section 14. Motion carried and the Section was adopted without change.

Section 15. Legislative Mandate; Time Limit. This was adopted by the convention.

Section 16. Deletion of Obsolete Schedule Items. Adopted without change.

Section 17. Judiciary Commission. Mr. Smith moved the adoption of the Section without change. Motion carried.

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Section 1. Limitation on Transitional Provisions. Adopted without change.

Section 2. References to 1921 Constitution. Adopted without change.

Section 3. Effect of Titles, Etc. The committee concurred in amending the heading to read "Effect of Titles". Section 3 was adopted as amended.

Section 4. Inherent Powers of Legislature. Adopted without change.

Section 5. Continuation of Actions, Rights, Etc. The committee concurred in amending the heading to read "Continuation of Actions and Rights". Adopted as amended.

Section 6. Protection of Existing Taxes. Adopted without change.

Section 18. Ports; Transition to Statutes. This Section was passed over as the substantive committee had not approved the report.

Section 19. Home Rule Charters; Ratified. This Section was passed over as the substantive committee had not approved the report.

Section 20. Public Service Commission. Adopted without change, subject to approval of the Committee on Natural Resources and Environment.

Section 21. Tax Schedule. Senator Rayburn moved the adoption of the Section. Motion carried and Section 21 was adopted without change.

Section 22. Effective Date. Representative Womack moved to amend Section 22, on line 16, by striking out the word "certify" and inserting in lieu thereof the word "announce". Motion carried.

Mr. Smith moved the adoption of Section 22. Motion carried and the Section was adopted as amended.

Section 23. Extraordinary Legislative Session. The committee concurred in amending the Section to read as follows:

"Section 23. The Legislature of Louisiana is hereby directed to convene in extraordinary session at the State Capitol, upon a call issued by the governor, for a period not to exceed seventy-five days, for the purpose of enacting laws to implement this constitution."

Chairperson Zervigon declared the meeting adjourned at 10:20 a.m. in order that the members could attend the convention.

Mary K. Zervigon, Chairperson

R. Harmon Drew, Vice Chairman

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1 Constitutional Convention of Louisiana of 1973

2 COMMITTEE PROPOSAL NUMBER

3 Introduced by Delegate Zervigon, Chairperson, Committee on

4 Legislative Liaison and Transitional Measures, and Delegates

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A PROPOSAL

#### ARTICLE XIV. TRANSITIONAL PROVISIONS

17 Section 1. Limitation on Transitional Provisions

18 Section 1. Nothing in this Article shall be construed

19 or applied in such a manner as to invalidate the foregoing

20 articles of this constitution but only to supplement and to

21 provide for an orderly transition from the Constitution of 1921.

22 Section 2. References to 1921 Constitution

23 Section 2. Whenever reference is made in this constitution

24 to the Constitution of 1921 it shall mean the Louisiana Consti-

25 tution of 1921, as amended.

26 Section 3. Effect of Titles, Etc.

27 Section 3. No title or sub-title, heading or sub-heading,

28 marginal note, index, or table printed in or with this constitution

29 shall be considered or construed to be a part of this constitution,

30 but to be inserted only for convenience in reference.

31 Section 4. Inherent Powers of Legislature

32 Section 4. The legislature shall have all powers not pro-

33 hibited or denied by this constitution or by or under the consti-

34 tution and laws of the United States, and the absence in this

35

APPENDIX A

1 constitution of a grant of power contained in the constitution  
2 hereby superseded shall not be construed as a limitation on  
3 the powers of state government.

4 Section 5. Continuation of Actions, Rights, Etc.

5 Section 5. All writs, actions, suits, proceedings, civil

6 or criminal liabilities, prosecutions, judgments, sentences,

7 orders, decrees, appeals, rights or causes of action, contracts,

8 obligations, claims, demands, titles, and rights existing on

9 the effective date of this constitution shall continue unaffected

10 except as modified in accordance with this constitution. All

11 sentences as punishment for crime shall be executed according

12 to their terms.

13 Section 6. Protection of Existing Taxes

14 Section 6. All taxes, penalties, fines, and forfeitures

15 owing to the state or any political subdivision levied and

16 collectible under the Constitution of 1921 and valid laws enacted

17 thereunder shall inure to the entity entitled thereto. The

18 provisions of this constitution shall not be construed or applied

19 in such a manner as to invalidate taxes levied or authorized under

20 the Constitution of 1921.

21 Section 7. Impairment of Contracts Prohibited

22 Section 7. Nothing in this constitution shall be construed

23 or applied in such a manner as to impair the obligation, validity,

24 or security of any bonds or other debt obligations authorized under

25 the Constitution of 1921.

26 Section 8. Existing Officials

27 Section 8. (A) Every person holding elective office when

28 this constitution becomes effective shall continue in office for

29 the remainder of the term for which elected.

30 (B) An official filling an office by election or appointment

31 shall continue to exercise his powers and duties until his office

32 is abolished or his successor selected. Each public body shall

33 continue to exercise its powers and duties until changed as

34 provided by this constitution or by law.

35

-2-

1 Section 9. Provisions of 1921 Constitution Made Statutory

2 Section 9. (A) Subject to change by law or as otherwise

3 provided in this constitution, and except as any of them conflicts

4 with this constitution, the following provisions of the Consti-

5 tution of 1921 are continued as statutes:

6 1. Article IV, Section 5 and 6.

7 2. Article VI, Sections 11.1, 19.2, 19.4, 22(2), 23, 23.1,

8 27, 31, 32, 33, 35, and 36.1.

9 3. Article VI-A, Sections 1 through 14.

10 4. Article VII, Sections 7, 8, 9, 12.1, 13, 20, 21, 28,

11 31, 31.1, 31.2, 33, 46 through 51, 51(a), 52,

12 53, 69, 80, 81, 82, 63, 85, 89 through 92, and

13 94 through 97.

14 5. Article IX, Section 4.

15 6. Article X, Sections 1(8) and (9), 2(1) and (2), 6,

16 10, 10(A), 10(B), 15, and 16.

17 7. Article X-A, Sections 3 and 4.

18 8. Article XII, Sections 9, 14, 19 through 22  
 19 (NOTE: Recheck; some may go to two-thirds  
 20 Vote statutes)  
 21 9. Article XIV, Sections 1, 2, 3, 3(b), 3(d) (first),  
 22 3(e), 3(f), 3(g), 4 through 14, 16, 18, 19, 21, 22(A),  
 23 23, 23.1 through 23.43, 24, 24.1 through 24.23, 25,  
 24 25.1, 26 through 29, 29.1, 30, 30.1, 30.3, 30.4, 30.5,  
 25 31, 31.1, 31.2, 31.3, 31.4, 31.6, 31.7, 32 through 36,  
 26 37.1, 38, 38.1, 39, 39.1, 40, 43, 44, 44.1, 45 through  
 27 48.  
 28 10. Article XV, Sections 1 through 4.  
 29 11. Article XVI, Sections 1 through 8, and 8(a).  
 30 12. Article XVIII, Section 13.  
 31 13. Article XIX, Sections 19, 19(a), and 20  
 32 (B) Judicial Review. The question of whether or to what  
 33 extent these Sections are in conflict with Articles I through  
 34 XIII shall be subject to judicial review.  
 35

- 3 -

1 Section 10. Provisions of 1921 Constitution Repealed  
 2 Section 10. Except as retained in Articles I through  
 3 XIII of this constitution, all other provisions of the 1921  
 4 Constitution are repealed, except that any provision which is  
 5 inconsistent with this constitution which is a necessary pro-  
 6 cedure of government shall remain in effect for three years  
 7 after the effective date of this constitution or until sooner  
 8 superseded by statute, ordinance, rules, or regulation enacted  
 9 pursuant to this constitution.  
 10 Section 11. Existing Laws  
 11 Section 11. (A) Retention. Laws in force on the  
 12 effective date of this constitution, which were constitutional  
 13 when enacted and are not inconsistent with this constitution,  
 14 shall remain in effect until altered or repealed by the author-  
 15 ity which enacted them or until they expire by their own limita-  
 16 tion.  
 17 (B) Expiration of Inconsistent Law. Laws which are in-  
 18 consistent with this constitution shall cease upon its effective  
 19 date. However, a law which is inconsistent with a provision of  
 20 this constitution requiring legislation to implement it shall  
 21 remain in effect for three years after the effective date of  
 22 this constitution, unless sooner repealed by the legislature.  
 23 Section 12. Constitution Not Retroactive  
 24 Section 12. Except as otherwise specifically provided  
 25 in this constitution, this constitution shall not be retro-  
 26 active and shall not create any right or liability which did  
 27 not exist under the Constitution of 1921 based upon actions or  
 28 matters occurring prior to the effective date of this constitu-  
 29 tion.  
 30 Section 13. Civil Service Commissions  
 31 Section 13. (A) State Commission. Each person who is  
 32 a member of the State Civil Service Commission on the effective  
 33 date of this constitution shall continue in such position for  
 34 the remainder of the term to which he was appointed. Within  
 35 thirty days after the effective date of this constitution, the

1 president of Xavier University shall submit three names  
 2 to the governor for appointment to the commission as pro-  
 3 vided in Article VII, Section 1, Paragraph (C). Within  
 4 ninety days after the effective date of this constitution,  
 5 one member of the commission shall be elected by the classi-  
 6 fied employees of the state from their number as provided  
 7 by law. The term of these appointees shall be six years.  
 8 Within thirty days after the expiration of the term of the  
 9 present member nominated by the president of Louisiana  
 10 State University and Agricultural and Mechanical College,  
 11 the president of Dillard University shall submit three  
 12 names to the governor for appointment to the commission as  
 13 provided in Article VII, Section 1. The term of this  
 14 appointee shall be six years.  
 15 (B) City Commission. Each person who is a member of  
 16 the New Orleans City Civil Service Commission on the  
 17 effective date of this constitution shall continue in  
 18 such position for the remainder of the term to which he  
 19 was appointed. Within thirty days after the effective date  
 20 of this constitution, the presidents of St. Mary's Dominican  
 21 College and Xavier University each shall submit three names  
 22 to the governing body of the city for appointment to the  
 23 commission as provided in Article VII, Section 1, Paragraph  
 24 (D). Within thirty days after the expiration of the term  
 25 of the present member nominated by the governing body of  
 26 the city, the president of Dillard University shall submit  
 27 three names to the governing body of the city for appoint-  
 28 ment to the New Orleans City Civil Service Commission as  
 29 provided in Article VII, Section 1, Paragraph (D). The  
 30 term of these appointees shall be six years.  
 31 (C) Upon the effective date of this constitution, all  
 32 officers and employees of the state and of the cities  
 33 covered hereunder who have status in the classified service  
 34 shall retain said status in the position, class, and rank  
 35 that they have on such date and thereafter shall be subject

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1 to and be governed by the provisions of this constitution and  
 2 the rules and regulations adopted under the authority hereof.  
 3 Section 14. Legislative Provisions  
 4 Section 14. (A) Legislative Recess. The legislature  
 5 shall provide, by rule or otherwise, for a recess, during  
 6 the 1975 and 1976 regular annual sessions, which shall be  
 7 for at least eight calendar days immediately after the first  
 8 fifteen calendar days of the session.  
 9 (B) President of Senate. The lieutenant governor in  
 10 office on the effective date of this constitution shall con-  
 11 tinue to serve as president of the Senate until his term  
 12 expires in 1976.  
 13 (C) First Legislative Session. The provisions of Article  
 14 III, Section 2 of this constitution shall become effective  
 15 for the regular legislative session to be held in 1975, and  
 16 in 1976 the legislature shall conduct its regular session as  
 17 provided in Article III but it shall convene at twelve  
 18 o'clock noon of the second Monday in May, 1976.  
 19 (D) Legislative Auditor. Until otherwise provided by

law, the legislative auditor shall continue to exercise the powers and perform the functions set forth in Article VI, Section 26(2) of the Constitution of 1921.

Section 15. Mandatory Reorganization of State Government

Section 15. Legislative Mandate; Time Limit. As required by Article IV, Section 1(B), the legislature shall allocate, within not more than twenty departments, the functions, powers, duties, and responsibilities of all departments, offices, agencies, and other instrumentalities within the executive branch, except those allocated by this constitution. The allocation, which shall not be subject to veto by the governor, shall become operative not later than December 31, 1977.

Section 16. Deletion of Obsolete Schedule Items

Section 16. The legislature by law may delete from this constitution this and any other Section of this Article when all events have occurred to which the Section to be deleted is

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or could become applicable. A legislative determination of fact forming the basis for application of this Section shall be subject to judicial review.

Section 17. Judiciary Commission

Section 17. The members of the judiciary commission in office on the effective date of this constitution shall serve until the expiration of their terms. Within thirty days after the effective date of this constitution, the additional two citizen members shall be selected as required by Article V, Section 24. A lawyer member, as thereby required, shall be selected to succeed the judge of a court of record other than a court of appeal whose term as a member of the commission first expires. Thereafter, when a vacancy occurs, the successor to the position shall be selected in accordance with Article V, Section 24.

Section 18. Ports; Transition to Statutes

Section 18. All provisions of Article VI, Section 16, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 17, 29, 29.1, 29.2, 29.3, 29.4, 33.1, 34, and Article XIV, Section 30.2 of the Constitution of 1921 shall become statutes subject to amendment or repeal only as provided in Article VI, Section 44 of this constitution.

(NOTE: Local Government Committee has not yet approved)

Section 19. Home Rule Charters; Ratified

Section 19. The charter forms of government organized under the provisions of Article XIV, Section 3(a), 3(c), 3(d) (second), 22, and 37 of the 1921 Constitution are ratified and confirmed in Article VI, Section 4 of this constitution.

(NOTE: Local Government Committee has not yet approved)

Section 20. Public Service Commission

Section 20. At its next extraordinary or regular session, the legislature shall divide the state into five single-member districts as required by Article VIII, Section 14(A) and shall provide for a special election at which the two additional members of the commission shall be elected, the initial term to be served by each, and other matters necessary to effectuate said Section 14(A).

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Section 21. Tax Schedule

Section 21. (A) Property Taxes. The provisions of Article X of the Constitution of 1921 relating to ad valorem property taxes shall remain in effect until the provisions on that subject contained in Article XI of this constitution take effect as provided in said Article XI.

(B) The provisions of Article XI of the Constitution of 1921 shall be continued as a statute until the legislature enacts the law required by Article XI, Section \_\_\_\_ (1) of this constitution, but the amount of the exemption shall be fifteen thousand dollars in value until otherwise fixed by law.

Section 22. Effective Date

Section 22. This constitution shall become effective at twelve o'clock midnight on January 1, 1975. The secretary of state shall promulgate the results of the election on the thirtieth day prior thereto; however, he shall certify the results of the election within thirty days after the date of the election at which the constitution is submitted to the people.

Section 23. Extraordinary Legislative Session

Section 23. The Legislature of Louisiana is hereby directed to convene in extraordinary session at the State Capitol on the third Monday in September, 1974, at twelve o'clock noon, for a period not to exceed seventy-five days. It shall have full authority as if convened in regular session.

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# MINUTES

Minutes of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with the Rules of the Convention

Treaty Room, White House Inn, Baton Rouge, Louisiana  
Tuesday, January 15, 1974, 9:00 a.m.

Presiding: Mary K. Zervigon, Chairperson of the Committee on Legislative Liaison and Transitional Measures.

## Present:

Representative Thomas A. Casey, ex officio  
Mr. Emile M. Comar, Jr.  
Representative Edward J. D'Gerolamo  
Representative R. Harmon Drew  
Representative Johnny Jackson, Jr.  
Mr. Walter I. Lanier, Jr.  
Mr. Louis M. Jones  
Senator B.B. Rayburn  
Mr. Jasper K. Smith  
Representative Richard S. Thompson  
Representative Lantz Womack  
Ms. Mary K. Zervigon

## Absent:

Mr. Calvin O. Fayard  
Mr. H.B. Hardee, Jr.  
Senator Louis J. Lambert, Jr.  
Representative Conway LeBlau  
Mr. Robert Munson  
Mr. Randall Vack

Chairperson Zervigon called the meeting to order at 9:10 a.m. The roll was called and a quorum was established.

Ms. Zervigon stated that the revised draft of the Committee Proposal "ARTICLE XIV. TRANSITIONAL PROVISIONS" would be considered. A copy of that document is attached to and made part of these minutes as APPENDIX A.

Section 8 (page 2)

Ms. Zervigon explained that, due to a typographical error, the last sentence of Section 8 had been omitted from the revised draft and is to be restored. The sentence reads "Each public body shall continue to exercise its powers and duties until changed as provided by this constitution or by law."

Senator Rayburn moved to amend Section 8 by restoring the last sentence as quoted above and, on line 26, after the word "office" and before the word "as" by deleting the comma "," and inserting the words "or the office is vacated". Motion carried. Section 8 was adopted as amended without objection.

Section 9 (pages 2 and 3)

Ms. Zervigon stated that Section 9, Paragraph (A) has been changed to conform to the committee reports. It has been proofread and will be checked again for accuracy.

Representative D'Gerolamo moved to amend Section 9, on line 14, by deleting from Article XII the Section number "13". Motion carried without objection.

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Representative Thompson moved to amend Section 9, line 1, by deleting the word "with" and substituting revised language so that line 1 would read "as statutes, but restricted to the same effect as on the effective date of this constitution." Motion carried without objection.

The committee considered a draft Paragraph (C) to be added to Section 9. Mr. Lanier objected to language which appeared to effect the constitutionalizing the Louisiana Law Institute. The committee considered revised language. Mr. Thompson moved the adoption of the Paragraph to read as follows:

"(C) Arrangement. The legislature shall provide for the assignment of titles and sections to the provisions made statutory hereby and for their arrangement in proper statutory form"

Motion carried without objection and the new paragraph was adopted.

Ms. Zervigon stated that there was material to be considered for possible addition to the Committee Proposal. The Sections would be numbered as appropriate.

These minutes reflect Sections and Paragraphs as indicated on their respective pages in APPENDIX A.

Section 13 (pages 4 and 5)

Representative Casey suggested that the heading of Section 13 should reflect the language adopted by the convention. Representative Jackson moved the amendment of the heading to read "Section 13. Transition; Civil Service Commissions; State; Cities". Motion carried without objection.

Representative Thompson moved to amend Section 13, on line 26, after the word and punctuation "Commission." by revising the beginning of the first sentence to read "Each person who, on the effective date of this constitution, is" and by striking out, on

-3-

lines 27 and 28, the phrase "on the effective date of this constitution". Motion carried without objection.

Mr. Jones moved to amend Section 13, on line 31, so that the university title would read "Xavier University of Louisiana". Motion carried without objection.

Representative D'Gerolamo moved to amend Section 13, on page 5, line 9, after the word and punctuation "Commission." by revising the first sentence to read "Each person who, on the effective date of this constitution, is a member of" and on lines 10 and 11, by striking out the phrase "on the effective date of this constitution". Motion carried without objection.

Representative Drew moved to amend the university title on page 5, line 15, to read "Xavier University of Louisiana". Motion carried without objection.

Representative D'Gerolamo moved to amend Paragraph (C) on page 5, line 25, by striking out the letter and punctuation "(C)" and inserting in lieu thereof a new Section to read:

"Section \_\_\_\_ . Transition; Civil Service Officers,  
Employees; State; Cities"

Motion carried without objection.

Mr. Smith moved to amend the new Section on line 29, after the word "thereafter" and before the word "be" by striking out the word "shall". Motion carried without objection.

Mr. Drew moved to add the transitional provisions included in a draft of text as adopted by the convention in Committee Proposal Number 30, as styled by the Committee on Style and Drafting. Motion carried without objection. A copy of that

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document is attached to and made part of these minutes as APPENDIX B.

The committee concurred in restoring language as adopted by the convention so that the heading of Section 14 on page 5, lines 32 and 33, would read "Legislative Sessions".

Representative Casey suggested that the committee consider the revision of lines 3 through 11, on page 6, into a new Section. The committee concurred in beginning a new Section with the heading to read as follows:

"Section \_\_\_\_ . Legislative Provisions

Section \_\_\_\_ . (A) President of Senate." (followed by the text as printed on lines 3 through 5)

Mr. Comar moved to amend the new Section by striking out lines 6 through 11 in their entirety and inserting in lieu thereof the following:

"(B) First Session. The provisions of Article III of this constitution shall become effective for the first session of the legislature to be held in 1975. However,

in 1976, the legislature shall convene in regular session at twelve o'clock noon on the second Monday in May, at which time the members elected at the statewide election in 1976 shall take office; otherwise, the legislature shall conduct that session as provided in Article III of this constitution."

Motion carried without objection.

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Representative Womack moved to amend the paragraph to be designated as "(C)" on page 6, line 12, by striking out the words and punctuation "Until otherwise provided by law," and beginning the Paragraph with the sentence as it is printed on line 13 "The legislative auditor shall . . . ." Motion carried without objection.

Representative Casey suggested the inclusion of a provision for legislative reapportionment. A staff draft of a Paragraph under Legislative Provisions was distributed. Representative Thompson moved the adoption of the text which reads:

"( ). Legislative Reapportionment. The requirement for legislative reapportionment in Section 5 of Article III of this constitution shall apply to the reapportionment of the legislature following the decennial census of 1980, and thereafter."

Representative Jackson objected to the adoption of this provision.

On roll call the vote was as follows:

FOR:	AGAINST:
Comar	Jackson
D'Gerolamo	
Drew	
Lanier	
Jones	
Smith	
Thompson	
Womack	
Zervigon	

Motion carried and the provision was adopted.

The committee considered "LOCAL GOVERNMENT SCHEDULE PROVISIONS".

A copy of that document is attached to and made part of these minutes as APPENDIX C-1.

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Representative D'Gerolamo moved the adoption of the Section "Ports; Transition to Statutes". Motion carried without objection.

Mr. Comar moved the adoption of the Section "Home Rule Charters; Authorization". Motion carried without objection.

The Committee on Local and Parochial Government submitted for the record a copy of Article 10, Section 23, from the 1921 Constitution, signed by members of that committee and also by members of this committee. This was for the purpose of indicating their intention to include Article 10, Section 23, in Section 9 of the Committee Proposal under consideration. A copy of that document is attached to and made part of these minutes as

APPENDIX C.

Representative Thompson moved the adoption of a provision for the commissioner of elections to read:

"The commissioner of elections, as provided by Article \_\_\_\_ , first elected under this constitution shall be elected to take office in 1976. The custodian of voting machines in office on the effective date of this constitution shall continue to exercise the functions of that office, without change, until the expiration of his term."

Motion carried without objection.

Representative Thompson moved the adoption of a provision for a pardon board to read:

"Until a pardon board is appointed under the terms of this constitution, the lieutenant governor, attorney general, and presiding judge of the sentencing court shall continue to serve as a board of pardons."

Motion carried without objection.

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The committee concurred in the adoption of a provision for statewide elected officials to read:

"Officials elected statewide in 1976 under terms of the new constitution shall take office in May of that year. Thereafter, statewide elected officials shall take office in March as provided in the new constitution."

Mr. Lanier moved the adoption of a provision for compensation paid for property used or destroyed for levee purposes to read:

"The provisions of Article XVI, Section 6 of the Constitution of 1921 shall be continued as a statute, subject to change by the legislature, and the amount of compensation therein required to be paid for property used or destroyed for levee or levee drainage purposes shall be paid as provided in Section 6 of Article XVI of the Constitution of 1921 until the legislature enacts a law to effectuate Article VI, Section \_\_\_\_ of this constitution."

Motion carried without objection.

The committee considered a draft prepared by the staff concerning suits against the state. Mr. Smith moved the adoption of the draft. Mr. Lanier offered a substitute motion which would add the phrase as underlined in the text which follows:

"Section \_\_\_\_ . Suits Against the State:

Effective Date

Section \_\_\_\_ . The provisions of Article III,

Section 14 waiving the immunity of the state, its agencies,

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or political subdivisions from suit and liability in contract or for injury to person or property only shall apply to a cause of action arising after the effective date of this constitution."

The substitute motion carried and the Section was adopted.

Chairperson Zervigon declared the meeting adjourned at 9:55 a.m. in order that the members could attend the convention.

It is here noted that, following consultation with the Chairman of the Convention and the Chief Clerk, it was determined that those provisions contained in the transitional Article prepared and introduced should not contain any provisions which have previously been adopted by the convention as Committee or Delegate Proposals. Therefore, all such provisions have been deleted from the transitional Committee Proposal prior to introduction on the floor. They will later be put into the transition Article by the Committee on Style and Drafting, having already been adopted.

  
Mary K. Servison, Chairperson

  
R. Harmon Drew, Vice Chairperson

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35. The Constitution of the State of Louisiana of 1921

#### A PROPOSAL

1. Making provisions relative to transitional provisions.  
2. As it adopted by the Constitutional Convention of Louisiana  
3. of 1921:  
4. ARTICLE XIV. TRANSITIONAL PROVISIONS  
5. Section 1. Limitation on Transitional Provisions  
6. Section 1. Nothing in this Article shall be construed or  
7. applied in such a manner as to invalidate the foregoing articles  
8. of this constitution but only to supplement and to provide for  
9. an orderly transition from the Constitution of 1921.  
10. Section 2. References to 1921 Constitution  
11. Section 2. Whenever reference is made in this constitution  
12. to the Constitution of 1921 it shall mean the Louisiana Consti-  
13. tution of 1921, as amended.  
14. Section 3. Effect of Titles  
15. Section 3. No title or sub-title, heading or sub-heading,  
16. marginal note, index, or table printed in or with this consti-  
17. tution shall be considered or construed to be a part of this  
18. constitution, but to be inserted only for convenience in  
19. reference.  
20. Section 4. Inherent Power of Legislature  
21. Section 4. The legislature shall have all powers not pro-  
22. hibited or denied by this constitution or by or under the  
23. constitution and laws of the United States, and the absence in  
24. this constitution of a grant of power contained in the consti-  
25. tution hereby superseded shall not be construed as a limitation  
26. on the powers of state government.

1. Section 5. All writs, actions, suits, proceedings, civil  
2. or criminal liabilities, prosecutions, judgments, sentences,  
3. orders, decrees, appeals, rights or causes of action, contracts,  
4. obligations, claims, demands, titles, and rights existing on the  
5. effective date of this constitution shall continue unaffected  
6. except as modified in accordance with this constitution. All  
7. sentences as punishment for crime shall be executed according to  
8. their terms.  
9. Section 6. Protection of Existing Taxes  
10. Section 6. All taxes, penalties, fines, and forfeitures  
11. owing to the state or any political subdivision levied and  
12. collectible under the Constitution of 1921 and valid laws  
13. enacted thereunder shall inure to the entity entitled thereto.  
14. The provisions of this constitution shall not be construed or  
15. applied in such a manner as to invalidate taxes levied or au-  
16. thorized under the Constitution of 1921.  
17. Section 7. Impairment of Debt Obligations Prohibited  
18. Section 7. Nothing in this constitution shall be con-  
19. strued or applied in such a manner as to impair the obligation,  
20. validity, or security of any bonds or other debt obligations  
21. authorized under the Constitution of 1921.  
22. Section 8. Existing Officials  
23. Section 8. A person holding an office by election shall  
24. continue to exercise his powers and duties until his office is  
25. abolished or his successor takes office, as provided by law.  
26. A person holding an office by appointment shall continue to  
27. exercise his powers and duties until his office is abolished,  
28. his term ends, or he is removed or replaced under the pro-  
29. visions of this constitution or by law.  
30. Section 9. Provisions of 1921 Constitution Made Statutory  
31. Section 9. (A) Provisions Continued as Statutes. Subject  
32. to change by law or as otherwise provided in this constitution,  
33. and except as any of them conflicts with this constitution, the  
34. following provisions of the Constitution of 1921 are continued  
35. as stated, with the same effect when the effective date of the constitution.  
1. Article V, Sections 2, 7, 18, 20, and 21.  
2. Article VI, Sections 1(a), 11.1, 19, 19.2, 19.3, 19.4,  
3. 26, 27, 28, 31, 32, 33, 35, 36.1, and 39.  
4. Article VI-A, Sections 1 through 14, except any  
5. dedications therein contained.  
6. Article VII, Sections 8, 12.1, 13, 20, 21, 28, 31, 31.1,  
7. 31.2, 33, 46 through 51, 51(a), 52, 53, 55, 80, 81, 82, 83,  
8. 85, 89 through 92, and 94 through 97.  
9. Article IX, Section 4  
10. Article X, Sections 1(8), 1(9), 2, 2(1), 2(2), 6,  
11. 10(A), and 15.  
12. Article X-A, Sections 1 and 4.  
13. Article XII, Sections 13, 18, 19 through 22, 25, and 26.  
14. Article XIV, Sections 3(b), 3(d) (first), 6, 10, 12, 14,  
15. 19, 21, 22(A), 23, 23.1 through 23.43, 24, 24.2 through  
16. 24.23, 25, 25.1, 26 through 28, 30, 30.1, 30.3, 30.4, 30.5,  
17. 31, 31.3, 31.6, 31.7, 32, 33, 34, 35, 36, 37.1, 38, 38, 38.1,  
18. 39, 39.1, 43, 44, 44.1, 45, 47, and 48.

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10. Article XV, Sections 1, 3, and 4.  
11. Article XVI, Sections 1, 4, 6, 7, 8, and 8(a).  
12. Article XVII, Sections 3 and 4.  
13. Article XVIII, Sections 4 and 8.  
14. Article XIX, Sections 6, 18, 19, 19(a), 20, and 27.  
15. Article VI, Sections 22, 23 (except any dedications contained therein), and 23.1; Article VI-A, Sections 1 through 14, except any dedications contained therein; Article V, Sections 7 and 9; Article XIV, Section 15.1, except Paragraph (3); Article X, Sections 7, 9, 16, and 21; and Article XII, Section 13, all of which shall be continued as statutes, subject to change only by law enacted by two-thirds of the elected members of each house.  
(b) Judicial Review. The question of whether or to what extent these Sections are in conflict with Articles I through XIII of this constitution shall be subject to judicial review.  
Section 10. Provisions of 1921 Constitution Repealed  
Section 11. Except as retained in Articles I through XIII of this constitution, all other provisions of the 1921 Constitution are repealed, except that any provision which is inconsistent with the constitution which is a necessary

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procedures of the constitution shall remain in effect for three years after the effective date of this constitution or until sooner superseded by statute, ordinance, rule, or regulation enacted pursuant to this constitution.

#### Section 11. Existing Laws

Section 11. (A) Retention. Laws in force on the effective date of this constitution, which were constitutional when enacted and are not inconsistent with this constitution, shall remain in effect until altered or repealed by the authority which enacted them or until they expire by their own limitation.

(B) Expiration of Inconsistent Law. Laws which are inconsistent with this constitution shall cease upon its effective date. However, a law which is inconsistent with a provision of this constitution requiring legislation to implement it shall remain in effect for three years after the effective date of this constitution, unless sooner repealed by the legislature.

#### Section 12. Constitution Not Retroactive

Section 12. Except as otherwise specifically provided in this constitution, this constitution shall not be retroactive and shall not create any right or liability which did not exist under the Constitution of 1921 based upon actions or matters occurring prior to the effective date of this constitution.

#### Section 13. Civil Service Commissions

Section 13. (A) State Commission. Each person who is a member of the State Civil Service Commission on the effective date of this constitution shall continue in such position for the remainder of the term to which he was appointed. Within thirty days after the effective date of this constitution, the president of Xavier University shall submit three names to the governor for appointment to the commission as provided in Article VII, Section 1, Paragraph (C). Within ninety days after the effective date of this constitution, one member of the commission shall be elected by the classified employees of the

State of Louisiana, and the president of Xavier University shall submit three names to the governor for appointment to the commission as provided in Article VII, Section 1. The term of this appointee shall be six years.

(B) City Commission. Each person who is a member of the New Orleans City Civil Service Commission on the effective date of this constitution shall continue in such position for the remainder of the term to which he was appointed. Within thirty days after the effective date of this constitution, the presidents of St. Mary's Dominican College and Xavier University each shall submit three names to the governing body of the city for appointment to the commission as provided in Article VII, Section 1, Paragraph (D). Within thirty days after the expiration of the term of the present member nominated by the governing body of the city, the president of Dillard University shall submit three names to the governing body of the city for appointment to the New Orleans City Civil Service Commission as provided in Article VII, Section 1, Paragraph (D). The term of these appointees shall be six years.

(C) Upon the effective date of this constitution, all officers and employees of the state and of the cities covered hereunder who have status in the classified service shall retain said status in the position, class, and rank that they have on such date and thereafter shall be subject to and governed by the provisions of this constitution and the rules and regulations adopted under the authority hereof.

#### Section 14. Legislative Provisions

Section 14. (A) Legislative Process. The legislature shall provide, by rule or otherwise, for a quorum, during the 1975 and 1976 regular annual sessions, which shall be for at least one

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quorum shall be a majority of the members of each house of the legislature.

(B) President of Senate. The lieutenant governor in office on the effective date of this constitution shall continue to serve as president of the Senate until his term expires in 1976.

(C) First Legislative Session. The provisions of Article III, Section 2 of this constitution shall become effective for the regular legislative session to be held in 1975, and in 1976 the legislature shall conduct its regular session as provided in Article III, but it shall convene at twelve o'clock noon on the second Monday in May, 1976.

(D) Legislative Auditor. Until otherwise provided by law, the legislative auditor shall continue to exercise the powers and perform the functions set forth in Article VI, Section 26(2) of the Constitution of 1921, until otherwise provided by law.

Section 15. Legislative Mandated Time Limit. As required by Article IV, Section 11B, the legislature shall allocate

19 within not more than twenty departments, the functions, powers,  
20 duties, and responsibilities of all departments, offices,  
21 agencies, and other instrumentalities within the executive branch,  
22 except those allocated by this constitution. The allocation,  
23 which shall not be subject to veto by the governor, shall become  
24 operative not later than December 31, 1977.

25 Section 16. Deletion of Obsolete Schedule Items

26 Section 16. The legislature by law may delete from this  
27 constitution this and any other Section of this Article when  
28 all events have occurred to which the Section to be deleted is  
29 or could become applicable. A legislative determination of  
30 fact forming the basis for application of this Section shall be  
31 subject to judicial review.

32 Section 17. Judiciary Commission

33 Section 17. The members of the judiciary commission in  
34 office on the effective date of this constitution shall serve  
35 until the expiration of their terms. Within thirty days after

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1 the effective date of this constitution, the additional two  
2 citizens to be selected as required by Article V,  
3 Section 24. A lawyer member, as thereby required, shall be  
4 selected to succeed the judge of a court of record other than  
5 a court of appeal whose term as a member of the commission first  
6 expires. Thereafter, when a vacancy occurs, the successor to the  
7 position shall be selected in accordance with Article V, Section  
8 24.

9 Section 18. Ports; Transition to Statutes

10 Section 18.

15 Section 19. Home Rule Charters; Ratified

16 Section 19.

20 Section 20. Public Service Commission

21 Section 20. At its next extraordinary or regular session,  
22 the legislature shall divide the state into five single-member  
23 districts as required by Article VIII, Section 14(A) and shall  
24 provide for a special election at which the two additional  
25 members of the commission shall be elected, the initial term to  
26 be served by each, and other matters necessary to effectuate  
27 said Section 14(A).

28 Section 21. Tax Schedule

29 Section 21. (A) Property Taxes. The provisions of

30 Article X of the Constitution of 1921 relating to ad valorem  
31 property taxes shall remain in effect until the provisions on  
32 that subject contained in Article XI of this constitution take  
33 effect as provided in said Article XI.

34 (B) The provisions of Article XV of the Constitution of  
35 1921 shall be continued as a statute until the legislature

1 amended by Article XI, Section \_\_\_\_ of this  
2 constitution. The amount of the exemption shall be fifteen  
3 thousand dollars in value until otherwise fixed by law.

4 Section 22. Effective Date

5 Section 22. This constitution shall become effective at  
6 twelve o'clock midnight on January 1, 1975. The secretary of  
7 state shall promulgate the results of the election on the  
8 thirtieth day prior thereto; however, he shall announce the  
9 results of the election within thirty days after the date of the  
10 election at which the constitution is submitted to the people.

11 Section 23. Extraordinary Legislative Session

12 Section 23. The Legislature of Louisiana is hereby  
13 directed to convene in extraordinary session at the State  
14 Capitol, upon a call issued by the governor, for a period not  
15 to exceed seventy-five days, for the purpose of enacting laws  
16 to implement this constitution.

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TRANSITIONAL PROVISIONS

Section \_\_\_\_, Board of Regents

Section \_\_\_\_. On the effective date of this constitution,  
each member of the Louisiana Coordinating Council for Higher  
Education appointed by the governor whose term has not expired  
shall become a member of the Board of Regents until his  
term expires. The governor shall appoint additional  
members required to complete the membership of the board in  
accordance with and to effectuate Article IX, Section 5.

Section \_\_\_\_, Board of Supervisors of Louisiana State  
University and Agricultural and Mechanical College

Section \_\_\_\_. On the effective date of this constitution,  
each member of the Board of Supervisors of Louisiana State  
University and Agricultural and Mechanical College whose  
term has not expired shall become a member of the Board of  
Supervisors of Louisiana State University and Agricultural and  
Mechanical College until his term expires. The governor shall  
appoint additional members required in accordance with and to  
effectuate Article IX, Section 7.

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Section \_\_\_\_ . State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities

Section \_\_\_\_ . On the effective date of this constitution, each member of the State Board of Education whose term has not expired may elect to become a member of either the State Board of Elementary and Secondary Education or the Board of Trustees for State Colleges and Universities. He shall serve until the expiration of the term for which he was elected. The legislature shall provide by law the procedures by which this right shall be exercised, the secretary of state notified of those elections which must be held, and the governor notified of the appointments which must be made to complete the membership of the boards. The elections and appointments shall be made in accordance with and to effectuate Article IX, Sections 3 and 6.

#### APPENDIX B

Section \_\_\_\_ . Boards; New Appointments

Section \_\_\_\_ . In making new appointments to a board created by Sections 5, 6, or 7 of Article IX, the governor shall consider appropriate representation on the board by alumni of the institutions under the control of the board.

(AS ADOPTED BY THE CONVENTION IN COMMITTEE PROPOSAL NUMBER 30)  
AS STYLED BY STYLE AND DRAFTING COMMITTEE)

#### NOTES

Appendix C reproduces La. Const. 1921, Art. X, §§10-A, 22, 23.

#### LOCAL GOVERNMENT SCHEDULE PROVISIONS

Section \_\_\_\_ . Ports; Transition to Statutes

Section \_\_\_\_ . All provisions of Article VI, Sections 16, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 17, 29, 29.1, 29.2, 29.3, 29.4, 31.1, 34, and Article XLV, Section 30.2 of the Constitution of 1921 shall become statutes subject to amendment or repeal only as provided in Article VI, Section 44 of this constitution.

Section \_\_\_\_ . Home Rule Charters; Authorization

Section \_\_\_\_ . The provisions of Article XIV, Sections 3(a), 3 (c), 3(d) (second), 22, 37, and 40 (c) of the Constitution of 1921 are continued in effect as the constitutional authorization for home rule charters or plans of government ratified in Article VI, Section 4 of this constitution.

#### APPENDIX C-1

## B. Subcommittee Minutes

### MINUTES

Minutes of the meeting of the Subcommittee on Alternative Methods of Transposition of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on June 25, 1973

Mayor's Private Dining Room,  
City Hall  
New Orleans, Louisiana  
July 3, 1973, 10:15 a.m.

Presiding: Walter I. Lanier, Jr., Chairman of the Subcommittee on Alternative Methods of Transposition

#### Present:

Walter I. Lanier, Jr.  
H. G. Hardee, Jr.  
Kendall Vick  
Mary Servino

Edward F. LeBlond, Jr., ex officio member  
and chairman, Committee on Legislative  
Liaison and Transitional Measures

#### Absent:

Calvin D. Fayard

The meeting was called to order by Chairman Lanier at 10:15 a.m. After roll call and a quorum was established, the chairman stated that the purpose of this meeting was to consider various methods of transposition from the present constitution to a new constitution and to prepare a recommendation as to the most workable method for presentation to the full committee. He introduced Dean Cecil Morgan of Tulane Law School and Mr. Ed Stanq of CARL and invited them to present ideas and participate in discussions with the members of the subcommittee.

Various methods of handling the transition from the present constitution to a new constitution were explored and considered by the subcommittee. The Final Report of the Subcommittee on Alternatives of the Coordinating Committee, a copy of which is attached to the minutes of that subcommittee's meeting of April 14, 1973; various staff memoranda, particularly Staff Memorandum No. 1 of the Subcommittee on Alternative Methods of Transposition, a copy of which is attached hereto and made a part of these minutes; report of Dr. George D. Braden dated May 9, 1973, and submitted to the Texas Constitutional Revision Commission, a copy of which is attached hereto and made a part of these minutes, and the suggestions of members of the subcommittee and invited participants were the topics of discussion.

After due deliberation, Mr. Vick offered a motion that this subcommittee recommend to the Committee on Legislative Liaison and Transitional Measures that it recommend to the convention as soon as possible in the form of a resolution that the eight substantive committees in their deliberations divide their material into the following categories:

1. Substantive basic constitutional provisions. It should be noted that in this category would be matters which could be changed by a super majority vote of the legislature which would be embedded in the constitution itself.
2. Those matters which will be treated as statutory material which could only be changed and subsequently changed by a super majority:
  - a. Super majority requirements contained in schedule to the constitution;
  - b. Super majority requirement provisions which would lapse at the end of a period of finite time.
3. Material which will be transposed as a simple statute.
4. Statutory material which can be deleted after being absorbed into the laws of local units of government.
5. Recommended new legislation.
6. Material which is obsolete.
7. Possible alternative proposals to be placed on the ballot in conjunction with the new constitution.

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Motion was unanimously adopted.

The members of the subcommittee unanimously agreed to defer taking action on the procedural mechanism by which the transposition from the present constitution to a new constitution will be accomplished.

The meeting adjourned at 3:00 p.m.

WALTER I. LANIER, JR., Chairman

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June 4, 1972

- To: Members of the Subcommittee on Transitional Alternatives  
To: Members of the Committee on Legislative Liaison and Transitional Measures

Enclosed is the memorandum which you requested the staff to prepare for consideration by the Subcommittee on Transitional Alternatives considering alternative methods that could be used to continue as statutes those provisions of the 1921 Constitution that are not continued in the new constitution.

CC/73 Research Staff  
Committee on Legislative  
Liaison and Transitional  
Measures  
Subcommittee on Transitional  
Alternatives  
May 31, 1973  
Staff Memorandum No. 1

RE: Alternative Methods By Which Existing Constitutional Provisions  
Might Be Continued.

This memorandum considers four methods by which provisions of the 1921 Constitution this convention determines should not be given constitutional status in the new constitution might be continued as viable law.

#### 1. Legislative Responsibility

The convention could determine simply to recommend to the people a single document, the constitution it adopts, making no provision or recommendation with respect to the sections of the 1921 Constitution it does not continue in the new document, other than the normal schedule provisions. In other words, those provisions deemed constitutional would be incorporated into the new document and those others considered statutory simply would not be included.

Such silence by the convention would recognize the inherent power of the legislature to legislate on any subject not prohibited by the state and federal constitutions and would leave to the legislature the task of enacting those deleted portions of the 1921 Constitution that are to continue as statutory law.

Should this approach be used, the convention might deem it in the best interest of the state to inform the legislature of the discontinued provisions to aid it in its work. This it could do by a formal report to the legislature, by inclusion of this information in the comments to proposals, by a report of the Legislative Liaison and Transitional Measures Committee, or by some other device.

It is recognized that if this procedure is used and nothing more is done, the convention cannot guarantee that desirable discontinued provisions would actually be enacted in law. The legislature would decide. The convention could not guarantee that those provisions would be enacted without substantive change, for any bill introduced in the legislature would be subject to amendment. Also, the discontinued provisions enacted into law as statutes would have the normal status of statutes, and legislative changes in the future would normally be by majority vote, except as to those subjects for which the constitution requires a greater majority.

If it is thought this situation allows too much flexibility, some special mechanism can be developed to place limits on the power of the legislature.

For example, the constitution could include in a special article that certain enumerated sections of the 1921 Constitution which the legislature accepted at its first session after the convention is held shall thereafter only be changed by two-thirds vote. Or it could provide that all provisions of the 1921 Constitution continue in statute at that first session could be changed in the future only by two-thirds vote.

To restrict change in the substance of the 1921 provisions that are to be continued, the call for the session at which the matter of continuation of 1921 Constitution provisions is considered could restrict the legislature to enacting those provisions without change. No amendments would be allowed.

If such a mechanism were to be used, the super majority statutes could be placed in a separate title in the revised statutes, or they could be integrated in the existing titles. As for legislative procedure, it could be envisioned that each bill for which a super majority vote is to be required for future change would have a separate section providing for that restriction at the end, much like a severability clause is usually attached to the end of most bills. Another device might be to provide that for the super majority change restriction to be effective, the bill itself must be adopted by the legislature by the same super majority, i.e., for the two-thirds limit to be imposed, the legislature must approve the bill by a two-thirds vote and must specify that future changes will be only by two-thirds vote. Normally, of course, one legislature cannot bind future legislatures by establishing restrictions on change; but this could be done if authorized by an article of the constitution that allowed it to be done.

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at the first session following the convention.

The convention also could include in the new constitution an article calling the legislature into special session at a fixed time after the adoption of the constitution to handle transitional matters. This was done by the 1921 Constitutional Convention. (Article XXV, Section 1 provided: "The Legislature of the State of Louisiana is hereby directed to convene in extraordinary session at the seat of government on the first Tuesday in the month of September, 1921, at twelve o'clock, noon, for a period not exceeding seventy-five days, with full authority, as if convened in a regular session.") The difficulty here is that the call for the meeting would not be effective until approved by the people, i.e., once the constitution goes into effect. This would be opposed to the aid of some people to have a continuation as statute of discontinued constitutional provision as used before the constitution is put to a vote.

If the call is not in the constitution, a special session might be called by the majority, either before or after the vote on the constitution is taken. A session prior to the vote on the constitution, in the mind of some, would enhance the probability of adoption since enactment of existing constitutional matters into statutory law would assure some recognition that the provisions they are interpreted in are continuing in effect. In fact, if adopted at such a pre-vote session would be the same as the adoption of the constitution. Some may feel that the constitution session would be more likely if the people's ratification is off, failing on the other hand, such a session may, since it is subject

of the new document and serve as a protection of the investment in the convention. If the desire is to prevent a too long or too

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complicated special session, the call for the session might be limited. For example, the only matters to be considered might be provisions of the 1921 Constitution to be considered for continuation as statutes. Even more, it could be restricted to provide that the existing sections can only be continued verbatim, with no changes of substance allowed to be introduced.

Another possibility is to wait until the 1974 regular session of the legislature to handle these matters. To avoid any gaps that might result if the legislature were not to act until after the effective date of the new constitution, the schedule provisions of the document itself should clearly provide that some officers and agencies not in the new constitution would continue in existence for a specified time or until the legislature had acted. This is usually done and is a standard schedule item in Louisiana's prior constitutions.

If some variation of this "legislative responsibility" concept were to be adopted, it might create a situation where some delegates, unsure of continuation as statutes of some constitutional provisions, would be more anxious to incorporate these provisions in the new constitution. The tendency might be to make the constitution longer than it would otherwise be, and to incorporate more detail than would otherwise be desirable. If this should be the case, some flexibility could be maintained by providing in a particular section that the stated rule is effective "except as otherwise provided by law" or "except as otherwise provided by two-thirds vote of the elected members of each house of the legislature." This is basically

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what is done in the present constitution for the creation of new judgeships (two-thirds vote) and the abolition of justices of the peace (majority vote).

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## 2. Schedule Provision

The convention could adopt as part of the new constitution one or two sections that would continue in effect as statutes certain enumerated provisions of the 1921 Constitution. Language similar to that used in Florida<sup>3</sup> might be adopted, for example:

Article \_\_\_\_\_, Section \_\_\_\_\_ (etc.) of the Constitution of 1921 as amended not included herein and not inconsistent with this constitution shall remain in effect, subject to modification or repeal by law.

To accommodate those provisions the convention determines should be subject to change only by a super majority vote of the legislature, the constitution might provide:

Article \_\_\_\_\_, Section \_\_\_\_\_ (etc.) of the Constitution of 1921 as amended not included herein and not inconsistent with this constitution shall remain in effect, subject to modification or repeal by vote of two-thirds of the elected members of each house of the legislature.

This approach is basically a type of incorporation by reference of other provisions, though here they are incorporated in

the statutes by reference rather than in the constitution itself. The approach is not entirely new to Louisiana constitutions, for

<sup>1</sup>Florida Constitution, Article XII, Section 10 reads: "All provisions of Articles I through IV, VII and IX through XXII of the Constitution of 1855, as amended, not embraced herein which are not inconsistent with this revision shall become statutes subject to modification or repeal as are other statutes."

it was done in the 1921 Constitution. Article XXII, Section 1(7) provided that the 1898 and 1913 Constitutions were superceded "except as herein otherwise specially provided." Then, in Article VII, Section 89, for example, it was provided that "...the provisions of law and of the Constitution of 1898 and 1913, as heretofore amended, relative to these officers and their deputies, assistants, clerks, or other employees, shall, except as otherwise provided in this Constitution, continue in effect until changed by the Legislature."<sup>2</sup>

The objection to this plan, in the mind of some, may be that the convention cannot legislate, but can only adopt constitutional provisions, and that this alternative involves "legislating." This view would hold that the act convening the convention authorized it to draft a constitution and not to enact statutes. However, since a constitution is superior to legislative acts, it would seem that, once validly adopted, a constitution prevails over any past or future legislative acts as well

<sup>2</sup>Article VII, Section 89: "There shall be one clerk for the Civil District Court, one clerk for the Criminal District Court, one civil sheriff and one criminal sheriff for the parish of Orleans, one clerk and one constable for the First City Court in New Orleans, one district attorney for the parish of Orleans, one register of conveyances, one recorder of mortgages for the parish of Orleans, and one coroner for the parish of Orleans; all elected by the qualified electors every four years, except as otherwise provided in this Constitution, and the provisions of law and of the Constitution of 1898 and 1913, as heretofore amended, relative to these officers and their deputies, assistants, clerks, or other employees, shall, except as otherwise provided in this Constitution, continue in effect until changed by the Legislature."

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as over prior constitutional provisions --- including any limitations that might have been placed on its content by a prior constitution or legislative act. It is interesting to note that such was the experience with the Constitution of the United States, whose drafters violated both the Articles of Confederation and the Congressional call for the convention.<sup>3</sup> Such is also the case with respect to many state constitutions.<sup>4</sup>

Attention must be directed to the fact that authority for the contrary position exists, however, and in a number of states the legislative act calling a constitutional convention is deemed to restrict the convention document.<sup>5</sup> This position confines the example of the U.S. Constitution to revolutionary times and holds it inapplicable in times of stability. Louisiana

<sup>3</sup>See Constitution of the United States, Library of Congress Edition, pp. 25-31. Once several states seemed inclined to do so, the Constitutional Congress approved a call for a convention and instructed it to convene "for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall when agreed to in Congress and confirmed by the States render the Federal Constitution adequate to the exigencies of

Government and the preservation of the Union.\*

The convention defied the instructions and drafted a new constitution. The Continental Congress never approved the changes. The Articles of Confederation required unanimous approval of the states for revision, but the delegates to the Constitutional Convention provided the document would be effective upon adoption by 3/4 of the States. When it states ratified, the Continental Congress resolved to put the new Constitution into operation, and the procedure for electing a president was begun. It wasn't until November 1789 that North Carolina ratified the Constitution and until May 1790 that Rhode Island ratified.

416 C.J.S.--Const. Law, § 8, p. 47; 12 C.J.S.--Const. Law, § 20, p.685.  
5Id.

is cited as being of this latter view, although the case decisions do not appear to definitively so determine.<sup>6</sup>

The leading case is State v. Am. Sugar Ref. Co., 137 La. 407, 66 So. 712 (1915). Act 1 of 1913 (Extra Session) called the convention which produced the Constitution of 1913. The act was ratified by the voters. It provided that the constitution adopted by the convention would become effective without approval by the people. Act 1 purported to prohibit the convention from changing "the term of office, duties, or compensation of any existing officers." Under the prior law, the Orleans Parish district attorney had no power to represent the state in civil matters. Article 190 of the 1913 Constitution, a provision regulating monopolies, did grant such power to the Orleans Parish district attorney, and he invoked it to bring the instant suit. The action was dismissed on an exception to the capacity of the district attorney to prosecute the litigation for the state. The court held that Act 1 of 1913 controlled the subjects which the convention might provide for, and that the constitutional provision enlarging the Orleans Parish district attorney's powers was invalid for exceeding the mandate of the convention.<sup>7</sup>

The court cited no authority for its position and devoted most of the opinion to an analysis of whether this was an additional duty of the district attorney. Justice O'Reill dissented, arguing that the constitution adopted should prevail.

6Id., p. 47, note 59.

7"First Legislature in enacting Act No. 1, Extra Session of 1913, purported to give to the attorney general the duty of the governor, and the national signed the act, and the people approved all the provisions therein set forth."

"Since the people, acting under a proper resolution of the Senate, were in favor of calling a convention, they are presumed to ratify the terms of the call, which thereby binds the hands of the authority delegated to the convention. 6 R.C.L. 718,p.27."

To the same effect, as to the Constitution of 1913, are

Foley v. Demo. Pty. Cmte., 138 La. 220, 70 So. 104 (1915);  
Hayne v. Assessor, 143 La. \_\_\_, 79 So. 280 (1917); Tremont Lbr. Co. v. Police Jury, 144 La. 678, 81 So. 245 (1918); F.B. Williams Cypress Co. v. Martin, 144 La. 767, 81 So. 307 (1919);  
Wunderlich v. N. O. Ry. & Lt. Co., 145 La. 21, 81 So. 741 (1919);  
Sherrin v. Police Jury, 145 La. 403, 82 So. 386 (1919).

The Constitution of 1921 also resulted from a convention whose call was approved by the people, but whose final document was not submitted to the people for adoption. In Pender v. Gray, 149 La. \_\_\_, 88 So. 786 (1921), the court seemed to be consistent with the earlier cases dealing with the 1913 Constitution. Here, the court denied effect to a resolution of the convention requiring continuance in actions being pursued by attorneys who were members of the convention, reasoning that the mandate of the convention was to draft a constitution and not to enact legislation by resolution. However, State v. Jones, 151 La. \_\_\_, 92 So. 310 (1922),

seemed to depart from the earlier cases. There, the court recognized the power of the convention to adopt a constitutional provision which called for a special session of the legislature. This, even though the mandate was to frame and adopt a constitution, which might have been interpreted to exclude providing for the calling of a special session.

In any event, the American Sugar Refining case remains without having been overruled, and it has been quoted approvingly in dictum as late as 1941 and 1956.<sup>8</sup>

<sup>8</sup>Graham v. Jones, 178 198 La. 507, 1 So.2d 761 (1941); State v. Stramphor, 279 La. 1046, 87 So.2d 523 (1956).

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However, there is substantial doubt that the principle adopted in the cases discussed would be construed to apply to the 1973 Constitutional Convention. Both the 1913 and 1921 constitutions went into effect upon adoption by a convention, without submission to the people for approval. Both had been called by means of a legislative act approved by the voters. The legislation limiting the scope of the convention was ratified by the people and was thus given higher status; the people's authority stood behind the limitations, and they were more than legislative acts. The limitations emanated from the source of sovereignty.

Under the procedure for the 1973 Convention, the situation is reversed. The people have not ratified the call for a convention and have not imposed limitations on it. Rather, the people will ratify the product of the convention before it can become effective. Once that occurs, the source of sovereignty will have spoken, and it would then seem, on basic principle, that a mere legislative act, previously adopted, will have to give way to the higher source of authority. In other words the people, by ratifying and adopting the entire document presented to them by the convention, will have placed their stamp of approval upon all actions of the convention.

### 3. Constitutional Code

Under this alternative, the constitution would be organized into two or three parts, Parts I and II and possibly a Part III. The articles in each part would be subject to different means of amendment.

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### PART I

Part I of the constitution would contain provisions usually contained in a basic, fundamental constitution --- the organic law of the state in which is set forth the fundamental rights and privileges of the people and the basic structure of government.

The provisions contained in the articles and Sections in Part I would be made subject to the most difficult form of amendment. If the present amending procedure were continued, change would be effected by propositions to amend initiated by the legislature and which would require affirmative vote of two-thirds of the elected members of each house; would not require the signature of the governor; would require promul-

gation by the secretaries of state prior to submission to the people; and would require submission to the people for adoption at a statewide election.

#### PART II

Part II of the constitution would contain provisions which are deemed to require protection against too frequent change, but which nevertheless are not of basic constitutional dignity. This protection would be assured by providing they can be changed or repealed only by a two-thirds vote (or other super majority) of the members of each house of the legislature. A provision might provide something along these lines:

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The provisions contained in this Part shall be subject to change or repeal by the legislature without the necessity for submission to the voters of the state; however, no provision of this Part shall be changed or repealed without the affirmative vote of at least two-thirds of the elected members of each house, and the bill proposing such change or repeal shall be enacted in the manner provided in Article \_\_\_\_ of Part I in this constitution.

Thus, should the convention deem it wise to assure that provisions such as those pertaining to special districts or other matters can be changed only with approval of a greater-than-usual number of elected representatives, this would be accomplished. Though they might be termed "Constitutional Ancillaries" or a "Constitutional Code," these provisions in Part II would technically be a part of the constitution and would be adopted by the people as part of the constitution.

#### PART III

Part III of the constitution would be composed of those "legislative" matters now found in the constitution which require no protection against too-easy amendment. It would contain a provision that any section contained in Part III can be amended by majority vote of the legislature.

Part III would be part of the new constitution, would be submitted to the people for approval, but would have a status in the hierarchy of law equal to any legislatively enacted statute, and could be changed or repealed by simple majority vote.

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#### COMMENT

Each Part described above would contain sections and titles grouped together according to subject matter, as in the normal case. For example, the basic structure of the court system might be in Part I, the demarcation of judicial districts in Part II, and the authorization to hire law clerks in Part III; the placement depending on the protection against change being granted the particular provision.

This proposal is an expansion of a technique used in the 1921 Constitution. Today, some provisions of the document can be overridden by two-thirds vote of the legislature (the number of judges attached to a court, for example), and others establish a rule that has effect "unless otherwise provided by law."

VARIATION 1 -- Only the material in Part I above would constitute the constitution. Parts II and III would be placed in the Revised Statutes as new titles, after initial adoption by the people at the same time the constitution is voted upon. In effect, the constitution would be recognizing a referendum procedure and this would be the first referendum submitted to the people. To accommodate this and to avoid the argument that the convention would be legislating beyond its mandate, the constitution itself should establish an initiative and referendum procedure, and Parts II and III would be passed as direct legislation measures.

To accomplish this, the final enactment of the convention would state that Part I would be the constitution and that Parts II and III if adopted would be transferred to the Revised Statutes as part of a special new title. It could be provided

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that the electorate will vote only on the whole presentation, or that they will vote on Parts I, II, and III separately.

VARIATION 2 -- With respect to Part II, it might be provided that after a stated period (ten or twenty years), the two-thirds vote requirement for change ceases to have effect, allowing the legislature thereafter to change the provisions by majority vote.

VARIATION 3 -- To give additional protection to Part II, it might be required that certain formalities be complied with before the vote to change can be taken in the legislature: publication in advance, notice to localities and agencies affected, etc.

To implement this plan, each substantive committee would be directed or encouraged to draft its proposals according to this plan, indicating which provisions are to be in Part I, Part II, and Part III. Upon vote for final approval in the convention, the question would include the issue of whether to place a proposal in Part I, II, or III.

#### 4. Amending Procedure

This alternative is a variation of the one just discussed. It is similar in that it contemplates three types of amending procedures, but the constitution would not be subdivided into Parts. Rather, it would be one series of titles and articles. Thus, the title on amending procedure would be so structured to provide that some enumerated provisions can be changed only by submission to the electorate, others can be amended by two-thirds of each house of the legislature, and still others by majority vote of the legislature. One of the types of amendment would be

-15-

specified for each section of the constitution, and rather than putting the whole text of the articles here, reference would be made to them by article and section number.

#### 5. Concluding Observation

This subject is a complex one with many variables influencing resolution of the problem. Making a decision may be difficult if



made without ~~any~~ reliable prediction of the type of ~~constitutional~~ ~~provisions~~ that will be submitted by the ~~constitutions~~. If, for example, the drafts of the substantive elements are such that they would form a very short constitution, there may or may not be a need to face the problem of continuing certain measures as statute with supermajority protection. On the other hand, if the constitution is a lengthy one, there would be little to put in the supermajority statutes or section of the constitution.

Perhaps resolution of this question must await a more accurate determination of delegate sentiment, and of the type of constitution the committees envision.

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PROJ. IN CONDUCT OF AN OFFENSIVE OPERATION  
TO A NEW OFFENSIVE

$$(T_{\text{eff}}(U) \in \mathcal{G}^{\text{eff}}_{\text{eff}} \Rightarrow \text{non-vanishing } \langle \text{tr}(U) \rangle \neq 0)$$

There are transitional problems in replacing an old constitution with a new one. There can be dealt with in the body of the new constitution, but the point is always that purely formal, obsolete, not remains forever in the new document. See, for example, Section 7 of Article XX, under "other local entities, called, etc." seems to leave little to be said in relation to the time of adoption of the Federal or local constitution, phrase of Article 6 of Article VIII, which declares the first legislative under the new Constitution free the limitation because the legislature had to sign the present of Form 1-2000, then the new one.

A constitution properly should deal only with the continuing future operation of the government. Transitional matters ought to be placed in a separate attachment to the constitution. The solution also ought to provide that, as the transition is taken care of, members of the assembly are drafted from the constitution. There is no more power to heretofore making an obsolete refer to them there is to remove absolute constitutional provision is the constitution proper.

Under ordinary circumstances there are only a few necessary transitional provisions. One is the transitional section that simply affirms that all the old relations, rights of action, and the like, continue even though the "old" government has been replaced. It is "grandfathered" in that it is given with the force of the

- 2 -

U.S. Constitution, the contents of three sections: 14, 16, and 17, of article XVI. There is probably no need to include this "continuity" provision, but it is traditional and avoids any substantial arguments that all is otherwise is made.

There are frequently some transitional problems in making changes in the substance of Government. The example above from Article I of Article XII is a case in point. Section 1 of Article XII is another example of a provision that could have been made a schedule, had the transition been from two-year terms to one to contribute to Government in the new.

In addition to the precision dealt with the reliability of the government, there are general and special limitations. There are most never raise transition problems. Here is a limitation and

1e: "The bill would amend section 1001, chapter 100, and section 1002, chapter 100, of the Wisconsin Statutes to provide that, in certain instances, there should be a limitation on (under certain circumstances) a school board's authority to impose a deleted limitation for limited period. As completed, the bill deleted limitation on a taxing power of local government. Unless an existing statute contained the same limitation, a delay would be appropriate to give the legislature a chance to decide what limitation should be posed by statute.)

Included within limitations are provisions that purport to give the legislature power to act but are actually only a vehicle to impose a limitation. For example, Section 31 of Article XVI is an unnecessary grant of power to the legislature, but the section is with a limitation on the point. Section 7 of Article XVI

- 3 -

Serious doubt has been raised only by "statutory" provisions. "Statutes" are mentioned in the course that the provision must contain no authority or evidence that are for legislative purposes. The Supreme Court, Section 19 of Article VIII, which directly requires a limitation on the power of the legislature, XVII, which requires a limitation on the power of the legislature, of Article XII, which requires a limitation on the power of the legislature, and the Supreme Court, established a commandment of the legislature. A variation in the provision that direct to the legislature is establish a restriction policy. Section 1 of Article XII is a clear example of this variation; Section 2 of Article XI is a confused example. A provision that simply authorizes the legislature to act is spurious, for the legislature has all power not denied to it. Most authorizations are either voidable, for a limitation as noted above or exceptions to a limitation. (We call an exception to a limitation "statutory") In the sense used in this discussion may appear to be a misnomer when the exception simply authorized the legislature to act. If the exception is embodied as an exception, it is not "statutory." See, for example, the public utility exception at the end of Section 21 of Article III. The usual approach, however, is to spell out so much of it that it is not a statutory exception, but rather a constitutional limit.

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## II. Miscellaneous Documents

### A. Documents



May 9, 1973

#### MEMORANDUM

TO: Mr. Walter Lanier, Chairman  
Mr. Calvin Fayard  
Mr. H. G. Hardee  
Mr. Kendall Vick  
Mrs. Mary Servigon

FROM: Edward P. LeBreton, Jr., Chairman, Committee on Legislative Liaison and Transitional Measures

Gentlemen and Mrs. Servigon:

In line with a motion passed at the meeting of the Committee on Legislative Liaison and Transitional Measures on Monday, April 30, 1973, I have appointed you to a subcommittee to be chaired by Mr. Walter Lanier. The motion reads as follows:

That the chairman appoint a subcommittee to meet one time and study methods providing for the orderly transition from the 1921 Constitution to the new and report back to the full committee its findings and recommendations.

I suggest that you work very closely with the members of the research staff assigned to your subcommittee, keeping in mind that, as I appreciate it, at this moment they are very much overworked. When you receive from the staff the information they have been requested by the full committee to furnish the subcommittee members, you will proceed with your meeting.

When you are ready to report to our committee as a whole, I would appreciate your advising me so that I may call this meeting.

Good luck, and I hope that you will come up with a good report that will be helpful to our committee and to the entire convention. If I can be of assistance, I will be glad to hear from you.

cc: To all members of the Committee on Legislative Liaison and Transitional Measures--for information



June 7, 1973

TO: All members of the Committee on Legislative Liaison and Transitional Measures

FROM: Norma M. Duncan, Director of Research

Ladies and Gentlemen:

Mr. Walter Lanier, Chairman of your Subcommittee on Alternative Methods of Transportation, has requested that you receive the enclosed copies of letters received by the subcommittee relating to the subject matter before it for consideration.

Sincerely,

*Norma M. Duncan*

Norma M. Duncan  
Director of Research

NMD:kb

Enclosures

CECIL MORRAN  
NEW JERSEY AVE.  
NEW ORLEANS, LA. 70110

June 6, 1973

Hon. Walter J. Lanier, Jr.,  
Chairman, Subcommittee on  
Alternative Methods of Transportation,  
C773, P.O. Box 444  
Thibodaux, Louisiana 70411.

Dear Mr. Lanier:

Your letter addressed to me and dated June 4, 1973, regarding the material from the President Louisiana Constitutional Interim Commission, Statutory Law, has definitely caught my attention. As a member of the design team to serve for and in the name of the people of the State of Louisiana, I have been assigned to the Committee on Alternative Methods of Transportation, and I am sure that you will be able to assist me in this regard.

I have noted that the roads are in a very poor state, and I have these comments:

It appears that the government has not the staff or the money to study and build the alternative methods of transportation. The motion made by the committee to the full committee, which was adopted, will be implemented by July 1, 1973. The motion, which was adopted, will be implemented by July 1, 1973. The motion, which was adopted, will be implemented by July 1, 1973.

There is, however, a single statement in the report of the committee which states that the committee has not the staff or the money to study and build the alternative methods of transportation. The motion made by the committee to the full committee, which was adopted, will be implemented by July 1, 1973. The motion, which was adopted, will be implemented by July 1, 1973.

The committee has not the staff or the money to study and build the alternative methods of transportation. The motion made by the committee to the full committee, which was adopted, will be implemented by July 1, 1973. The motion, which was adopted, will be implemented by July 1, 1973.

It is suggested that the committee should request such details of the staff as possible. The committee should request such details of the staff as possible. The committee should request such details of the staff as possible. The committee should request such details of the staff as possible.

To further explain one of the points of the committee, I would like to mention that the committee has not the staff or the money to study and build the alternative methods of transportation. The motion made by the committee to the full committee, which was adopted, will be implemented by July 1, 1973. The motion, which was adopted, will be implemented by July 1, 1973.

One of the points of the committee is that the committee has not the staff or the money to study and build the alternative methods of transportation. The motion made by the committee to the full committee, which was adopted, will be implemented by July 1, 1973. The motion, which was adopted, will be implemented by July 1, 1973.

It will be noted that the committee has not the staff or the money to study and build the alternative methods of transportation. The motion made by the committee to the full committee, which was adopted, will be implemented by July 1, 1973. The motion, which was adopted, will be implemented by July 1, 1973.

It will be noted that the committee has not the staff or the money to study and build the alternative methods of transportation. The motion made by the committee to the full committee, which was adopted, will be implemented by July 1, 1973. The motion, which was adopted, will be implemented by July 1, 1973.

It will be noted that the committee has not the staff or the money to study and build the alternative methods of transportation. The motion made by the committee to the full committee, which was adopted, will be implemented by July 1, 1973. The motion, which was adopted, will be implemented by July 1, 1973.

So there is left unchanged the principle of making money by legislative means to give resources to the voters to let their vote for the alternative methods of transportation be properly implemented by legislation and under proper safeguards.

There seems to be only one way to do that, and that is to have the legislation drafted in full, and to have it passed by the voters.

found for the legal transition on it provided in the original submission of the final document to the project.

It is therefore my belief that a proper procedure is to comply with the legislative process, with the request that the legislative process be carried on in full and in public, and that alternative measures be carefully considered in full and in particular, and that issues be clearly identified, the political considerations, and limited to a few, such as five or six at most, that the transition provision be fully and correctly interpreted, considering the existing situation.

Provision for the legislative process, and that the legislative process be carried on in full and in public, and that alternative measures be carefully considered in full and in particular, and that issues be clearly identified, the political considerations, and limited to a few, such as five or six at most, that the transition provision be fully and correctly interpreted, considering the existing situation.

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and interested parties.

Provision for the legislative process, and that the legislative process be carried on in full and in public, and that alternative measures be carefully considered in full and in particular, and that issues be clearly identified, the political considerations, and limited to a few, such as five or six at most, that the transition provision be fully and correctly interpreted, considering the existing situation.

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Mr. Walter J. Lippert, Jr.  
Chairman, Legislative Committee  
Assembly Building  
Albuquerque, New Mexico 87102  
Committee on Legislative Process  
P.O. Box 17700  
Albuquerque, New Mexico 87102

Dear Mr. Lippert:

The Legislative Committee on the Legislative Process, and that the legislative process be carried on in full and in public, and that alternative measures be carefully considered in full and in particular, and that issues be clearly identified, the political considerations, and limited to a few, such as five or six at most, that the transition provision be fully and correctly interpreted, considering the existing situation.

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Walter J. Lippert, Jr.

EW: ltc  
cc: Mr. J. Lippert, Jr.

LOYOLA UNIVERSITY  
SCHOOL OF LAW

Provision for the legislative process, and that the legislative process be carried on in full and in public, and that alternative measures be carefully considered in full and in particular, and that issues be clearly identified, the political considerations, and limited to a few, such as five or six at most, that the transition provision be fully and correctly interpreted, considering the existing situation.

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RECEIVED  
JUN 21 1973  
60273 (P) 1510

73

July 25, 1973

MEMORANDUM FOR THE LEGISLATIVE COMMITTEE ON THE LEGISLATIVE PROCESS, and that the legislative process be carried on in full and in public, and that alternative measures be carefully considered in full and in particular, and that issues be clearly identified, the political considerations, and limited to a few, such as five or six at most, that the transition provision be fully and correctly interpreted, considering the existing situation.

FROM: Delbert L. Lippert, Jr., Chairman, Committee on Legislative Process and Transitional Measures

The Committee on the Legislative Process, and that the legislative process be carried on in full and in public, and that alternative measures be carefully considered in full and in particular, and that issues be clearly identified, the political considerations, and limited to a few, such as five or six at most, that the transition provision be fully and correctly interpreted, considering the existing situation.

Thursday, July 26

11:00 a.m.

Room 9, State Capitol Building

The Committee on the Legislative Process, and that the legislative process be carried on in full and in public, and that alternative measures be carefully considered in full and in particular, and that issues be clearly identified, the political considerations, and limited to a few, such as five or six at most, that the transition provision be fully and correctly interpreted, considering the existing situation.

Attachment

RE: Categories into which material within the jurisdiction of the substantive committee may be divided.

1. Substantive basic constitutional provisions.
2. Those matters which will be treated as statutory material which could only be changed or subsequently changed by a super majority in each of the following categories:
  - a. Super majority requirements contained in schedule to the constitution;
  - b. Super majority requirement provisions which would revert to simple majority provision at the end of a finite period of time.
3. Statutory material which can be modified by simple majority:
  - a. Material which will be transposed to a simple statute.
  - b. Material which will lapse at the end of a finite period of time.
  - c. Statutory material which would lapse after being absorbed into the laws of local units of government.
4. Recommended new legislation.
5. Material which is obsolete.
6. Possible alternative proposals to be placed on the ballot in conjunction with the new constitution.

33	Lake Providence Port Commission
35	Avoyelles Parish Port Commission
36.1	Rapides Parish Port Commission
39	Authority of Governor to Obtain Reports and Information
1	Additional Motor Fuel Tax
2	Dealers; Persons Taxable; Definition
3	Importers; Reports
4	Dealers; Payment of Tax; Reports; Bond; Enforcement; Aircraft Fuel
5	Disposition of Collections; Allocations; Expenditures; Inner-Harbor Navigation Canal Bridge or Tunnel
6	Purpose and Intent of Article
7	Supervisor of Public Accounts; Powers and Duties
8	Penalties for Delinquency
9	Failure to Report; Examination of Books and Records; Computation of Tax
10	Falsification; Enforcement; Bond

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CONFIDENTIAL

CC/73 Research Staff  
Committee on Legislative Liaison and Transitional Measures  
January 17, 1974  
Staff Memorandum No.

Article	Section	Title
VI-A	11	Costs and Receipts
	12	Enforcement Expenses
	13	Self-Operative Effect
	14	Exemptions
VII	8	Retirement
	12.1	Judicial Administrator, Creation, Appointment, Salary, Tenure; Duties; Encumbrances; Retirement
	13	Salaries and Expenses of Assigned Judges
	20	Circuits and Districts (Courts of Appeal)
	21	Circuit Courts of Appeal; Domestic; Number of Judges, Initial Terms
	28	Court Facilities; Clerks; Sheriff
	31	Judicial Districts
	31.1	Twenty-second Judicial District; Additional Judge
	31.2	Twenty-sixth Judicial District; Additional Judge
	33	District Judges; Election; Residence, Training, and Experience Qualifications; Bar Associations Membership
	46	Justice of the Peace Wards; Number; Reduction; Abolition of Office
	47	Justices; Qualifications; Election; Term of Office
	48	Jurisdiction
	49	Constables; Election; Term of Office; Qualifications
	50	Fees; Salaries

-3-

Article	Section	Title
VI	19.4	Board of Highways; Regulation and Control of annual budget
	26	Department of Revenue; Legislative Auditor; State Printing Board
	27	Lake Pontchartrain; Sale of Submerged Lands; Islands; Causeway
	28	Liquefied Petroleum Gas Commission
	31	Greater Ouachita Port Commission
	32	Caddo-Bossier Parishes Port Commission

Article	Section	Title
VII	51	Justice of the Peace Courts; City Courts
	51(a)	Parish Courts, Jefferson Parish
	52	Creation; Judges; Jurisdiction (Juvenile Courts)
	53	Family Court for Parish of East Baton Rouge

55	Establishment; Composition; Attorney General, Election and Assistants	9.	3(b)	East Baton Rouge Parish; recreation and park commission
80	Establishment; Composition; Compensation; Additional Sections; Assignment of Judges (Civil District Court for Parish of Orleans)	3(d)(first)	6	Acquisition and financing of sewerage improvements
81	Civil and Appellate Jurisdiction	10	19	Property for navigation canals; acquisition by parishes or municipalities; financing
82	Establishment; Composition (Criminal District Court for the Parish of Orleans)	12	21	Municipal consolidation; special taxes
83	Jurisdiction and Powers	14	22A	Municipal tax limits; special taxes
85	Stenographers; Minute Clerks; Salaries; Deputy Sheriffs; Judges' Vacations and Absences	19	23	Subdivisions of state; creation; indebtedness; bond issues; special taxes
89	Parish Officers; Election; Continuation of Prior Law	21	23.1 through 23.43	Special tax to aid public utilities; elections; qualification of voters
90	First City Court; Judges; Terms; Salary	22A	24	State Tax Collector for City of New Orleans
91	First City Court; Jurisdiction; Pleadings; Authority; Procedure; Costs; Appeals; Small Claims	23	24.2 through 24.23	Vieux Carre Commission
92	Second City Court; Jurisdiction; Officers; Interchange of Judges and Clerks	23.1 through 23.43	25	New Orleans; special acts ratified
94	New Orleans; Municipal and Traffic Courts; Personnel; Jurisdiction; Appeals	24.2 through 24.23	25.1	New Orleans; sewerage, water and drainage bonds
-4-		25		New Orleans; board of liquidation of city debt; bond issues for public improvement
		25.1		New Orleans; sewerage, water and drainage bonds
				New Orleans; special tax for fire and police departments
				New Orleans; special tax for general municipal purposes

Article	Section	Title	-6-
VII	95	Sources of Fund: Control and Administration; Accountants (Judicial Expense Fund)	
	96	Establishment; Jurisdiction; Appeals; Procedure; Judges (Juvenile Court)	
	97	Time of Election of Judges and Other Parish Officers	
5.	IX	4	Article Section Title
			XIV 26
6.		1	26
		2	27
		6	28
		10A	30
		15	30.1
		23	30.3
7.	X-A	3	30.4
		4	30.5
8.	XII	18	31
		19	31.3
		20	31.6
		21	31.7
		22	32
			33
			34
			35
			36
Article	Section	Title	-7-
XII	25	Metropolitan Branch of Louisiana State University; Establishment and Location	
	26	New Orleans Branch of Southern University and Agricultural and Mechanical College	

Article	Section	Title				
			12.	XVII	3	Adjutant General
					4	Preservation of Records, Banners and Relics
XIV	37.1	Jefferson Parish; sub-sewerage districts				
	38	Jefferson Parish; public improvement districts; levee systems, pumps, etc.; indebtedness; bonds	13.	XVIII	4	Civil War; Memorial Hall for Relics; Battlefield Markers and Monuments
	38	Jefferson Parish; public improvement districts			8	Confederate Memorial Medical Center; Correctional, Charitable and Penal Institutions; Bonds; Tax
	38.1	St. Charles Parish; reclamation projects by public improvement districts	14.	XIX	6	Performance of Duties until Successor Inducted
	39	City of Lake Charles; reclamation and development of lake front			18	Police Power
	39.1	Calcasieu Parish; community center and playground districts; bond issue; secretary-treasurer's performance bond			19	Immovable Property; Recordation of Mortgages, Privileges, Etc.; Prescription of Taxes and Licenses; Privileges on Movable Property
	43	Jefferson Parish; consolidated drainage districts; bonds; taxation			19(a)	
	44	City of Lake Charles; reclamation and development of lake bed and waterfront; acquisition of property; bonds			20	New Basin Canal and Shell Road; New Orleans Union Railroad Passenger Terminal Facility
	44.1	City of Lake Charles; reclamation and development of lake front; acquisition of property; bonds			27	Governmental Ethics
	45	Sabine River Authority	15.	VI	22	General Highway Fund
	47	Louisiana Stadium and Exposition District			23	Continuation of Existing Highway Laws
	48	Municipalities and special service districts; annexed areas; contracts; taxation and transfer of facilities			23.1	Financing of Construction, Maintenance, Improvement and Extension of Highways
					-9-	
10.	XV	1 Drainage Districts; Authorization; powers		Article	Section	
		3 Bayou Lafourche fresh water district		V	7	Salary of Acting Governor
		4 Iatt Lake Water Conservation District			9	Lieutenant Governor; Vacancy in Office
				X	7	Inheritance and Donation Taxes; Exemptions
11.	XVI	1 Levee system; maintenance; state tax			9	Banks; Domicile Out of State; International or Foreign Banking; Tax
		4 Interstate districts			16	Rolling Stock; Nonresident Owners; Assessment
					21	Severance Tax on Natural Resources
				XIV	15.1	Fire and Police Civil Service; Municipalities of 13,000 to 250,000
				(Except *34)*		
				XVIII	13	Viet Nam Bonus Bonds
						* Paragraph 34 of Article XIV, Section 15.1 of the Constitution of 1921 is incorporated by reference into the new constitution.
					-10-	
Article	Section	Title				
XVI	6	Compensation for Property Used or Destroyed; Tax				
	7	Orleans Levee District; Board of Commissioners; Powers				
	8	Ponchartrain Levee District; Commissioners; Land Protection; Bonds				
	8(a)	Ponchartrain Levee District; Additional Bond Issue				



## B. Disposition Charts



STATE OF LOUISIANA CONSTITUTIONAL REVISIONS OF 1974 (P. O. BOX 17740 • BATON ROUGE, LOUISIANA 70817)  
TELEPHONE 383-5171

January 9, 1974

E. L. HENRY  
Chairman  
NORMA M. DUNCAN  
Executive Secretary

TO: Committee on Legislative Liaison and Transitional Measures  
FROM: Committee on Bill of Rights and Elections  
RE: Disposition of Articles and Sections of the 1921 Constitution Assigned to the Committee on Bill of Rights and Elections

In accordance with your Committee Resolution No. 11, the Committee on Bill of Rights and Elections submits the following report:

1. Articles and Sections of the Proposed New Constitution (Carried over in some form from the 1921 Constitution)

### 1921 Constitution      Proposed New Constitution (First Enrollment)

Preamble	Preamble
I 1	I 1. Origin and Purpose of Government
I 2	I 2. (part) Due Process of Law I 4. (part) Right to Property
I 3	I 9. Freedom of Expression
I 4	I 10. Freedom of Religion
I 5	I 11. Freedom of Assembly and Petition
I 6	I 22. Access to Courts
I 7	I 5. Right to Privacy
I 8	I 20. Right to Keep and Bear Arms
I 9	I 12. (part) Rights of the Accused I 13. (part) Initiation of Prosecution I 15. (part) Right to a Fair Trial I 16. (part) Trial by Jury in Criminal Cases
I 10	I 12. (part) Rights of the Accused I 16. (part) Trial by Jury in Criminal Cases

### 1921 Constitution      Proposed New Constitution (First Enrollment)

I 11	I 15. (part) Right to a Fair Trial I 18. (part) Right to Humane Treatment
I 12	I 17. (part) Right to Bail I 18. (part) Right to Humane Treatment
I 13	I 21. Writ of Habeas Corpus
I 14	XII 3. Civilian-Military Relations
I 15	I 25. Unenumerated Rights
II 1	II 1. Three Branches
II 2	II 2. Limitations of Each Branch
III 37	I 4. Right to Property
IV 15	I 22. (part) Access to Courts I 23. (part) Prohibited Laws
IV 16	XII 7. Forced Heirship and Trusts
VI 19	I 4. Right to Property
VI 19.1	I 4. Right to Property
VII 41	I 16. (part) Trial by Jury in Criminal Cases
VIII 1	I 19. Right to Vote
VIII 3	X 3. Secret Ballot
VIII 7	X 2. (part) Election Code
VIII 8	X 6. Privilege from Arrest
VIII 15	X 3. Secret Ballot
VIII 18	X 11. (part) Registrar of Voters
VIII 22	X 3. Secret Ballot

XIX 1	XII 5. Oath of Office
XIX 2	XII 6. State Capital
XIX 7	I 6. Freedom from Intrusion
XXI 1	XIII 1. Amendments
XXI 2	XIII 4. Laws Effectuating Amendments

-2-

- Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change Only by a Super Majority Vote  
None
- Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change by the Usual Majority Vote  
None
- Provisions of the Proposed New Constitution (First Enrollment) Which Require New Legislation for Implementation
  27. Right to Preliminary Examination (Requires changes in the Code of Criminal Procedure)
  2. Election Code (Requires enactment of an election code)
  10. Administrative and Quasi-Judicial Code (Requires changes in the Administrative Procedure Act, R.S. 49:951 et seq.)
  2. Convention Called by Legislature (Requires changes in the rules of procedure of the houses of the legislature)
- Material Which is Obsolete and Unnecessary (in the 1921 Constitution and not carried over in the Proposed New Constitution, First Enrollment)
  - 41 (part) Selection of Jurors Including Women Jurors
  - 1 (part) Most Restrictions on the Right to Vote
  - 2 Poll Tax or Registration
  - 3 (part) Taxpayers as Voters; Qualifications
  - 4 Primary Elections; Conventions; Fairness; Qualifications of Voters and Delegates
  - 5 Denial of Registration; Remedy; Illegal Registrations; Removal of Names; Prosecution
  - 6 Disqualification from Voting or Holding Office
  - 7 (part) Ratification of Acts 1940
  - 9 General Election; Time; Presidential and Congressional Elections
  - 10 Parochial Elections; Time; Elections in New Orleans
  - 11 Residence; State or Federal Service; Seamen, Students
  - 12 Election Contests; Trials
  - 13 Office Holders; Residence Requirements
  - 14 Election Returns; Officers Commissioned by Governor
  - 15 (part) Voting Machines; Independent Candidates; Statements of Candidacy; Ratification of Acts 1941
  - 16 Close of Registration; Transfers; New Voters; Changes of Address
  - 18 (part) Board of Registration
  - 19 Trial: Under Election Laws
  - 20 Right to Serve as Commissioner at Polls
  - 21 Registration after Moving to Another Precinct
  - 23 Corrupt Practices; Disfranchisement
  - 3 Treason
  - 9 Label; Defense; Jury as Judges of Law and Fact
  - 12 Bribes; Offering or Receiving; Disqualification from Office
  - 13 Bribes; Self-incrimination; Immunity

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INFORMATION REPORT ON DISPOSITION OF PROVISIONS  
OF 1921 CONSTITUTION

TO: COMMITTEE ON LEGISLATIVE LIAISON AND TRANSITIONAL MEASURES  
FROM: COMMITTEE ON EXECUTIVE DEPARTMENT -- COMMITTEE PROPOSAL  
NOS. 4, 5, 22, 23, 31 (Article IV)  
RE: REPORT due November 2, 1973

CONTENTS

- I. Disposition Chart
- II. Summary Tables
  - A. Legislation Needed to Transfer Deletions from the  
1921 Constitution
  - B. Legislation Needed to Activate New Constitutional  
Provisions
  - C. Items to be Included in the Schedule
  - D. Obsolete Provisions

Date: November 5, 1973

I. A. LEGISLATION NEEDED TO PLACE PROVISIONS DELETED  
FROM 1921 CONSTITUTION-INTO-STATUTES

<u>1921 Citation</u>	<u>General Subject</u>	<u>Subject of Deleted Matter</u>	<u>Suggested Placement</u>
III:30	Public contracts, signatures	Certain state contracts to bear signature of governor, president of senate, speaker of house or any two of them	R.S. 39:171
IV:1	Public finance, statement	Statement of receipts and expenditures of public moneys to be published every three months	R.S. 39:4
V:2	Election returns	Tie votes for governor and lieutenant governor	R.S. 18:571
V:7	Public salaries	Lieutenant governor to receive same salary as governor when acting for him	R.S. 49:202
V:18	Executive officers	Commissioner of Conservation, appointment, vacancy	R.S. 30:1
V:20	Public officers, compensation	Treasurer, secretary of state, register of land office, commissioner of agriculture, commissioner of conservation to receive no compensation except salary.	R.S. 42:9
V:21	Commissions	All commissions to be in name of the state, sealed with state seal, signed by governor.	R.S. 49:161 or R.S. 49:211
VI:1(A)	Wildlife and Fisheries Comm.	Replace superseded statutes with 1921 constitutional provisions	R.S. 56:1-28
VI:19	Highways	Parishes to be compensated from highway funds for paved roads taken into the state system	R.S. 48:162 or R.S. 48:214
VI:19.2	Highways	Create highway board, department, director, and establish powers and duties as provided in VI, 19.2	R.S. 48:11-13; R.S. 48:51-54; R.S. 48:71-75

<u>1921 Citation</u>	<u>General Subject</u>	<u>Subject of Deleted Matter</u>	<u>Suggested Placement</u>
VI:19.3	Highways	Grant Department of Highways powers of zoning and expropriation for purposes of highway beautification; zoning to be consistent with local zoning authority.	R.S. 48:460 or R.S. 48:461.17
VI:19.4	Highways	Specifically designate the Department of Highways as a budget unit of the state.	R.S. 39:2(7); R.S. 39:45; R.S. 39:61; R.S. 39:91
VI:26	Dept. of Revenue	Create Department of Revenue, office of commissioner and his appointment, term, removal, salary and powers.	R.S. 47:1501
VI:28	Liquefied Petroleum Gas Comm.	Create commission, provide domicile, composition, ineligibility of dealers for membership, compensation, terms, quorum, power of investigations.	R.S. 40:1841
VI:39	Agency reports	Enact entirety of VI:39 into statutes.(a)	R.S. 49:212
VII:55	Attorney general	Composition of the Department of Justice, second assistant and other assistants.	R.S. 49:250
X:2	Tax Commission	Powers of assessment and taxation.	R.S. 47:1831
XVII:3	Adjutant General	Adjutant general to discharge his duties at the state capital.	R.S. 29:8
XVII:4	Militia	Military records, banners, records of the state to be preserved.	R.S. 29:9
XVII:4	Museums, memorials	Provide for a civil war memorial hall for relics and legislative appropriation.	R.S. 25:801, 802
XVIII:8	Charity hospitals	Services to be rendered by Confederate Memorial Medical Center	R.S. 46:891

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(a) Language of VI:39 is broader than language in proposed constitution.

<u>1921 Citation</u>	<u>General Subject</u>	<u>Subject of Deleted Matter</u>	<u>Suggested Placement</u>
XIX:6	Public officers	Officers to hold over except in cases of impeachment or treason	R.S. 42:2
XIX:18	Police power	Never to be abridged	(b)
XIX:27	Brd. of Ethics	Provide for appeals from decisions of State Board of Ethics for State Elected Officials	R.S. 42:1144

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(b) Provision included in proposed Art. VI, Sec. 12(B) - (Local Government)

I-B. LEGISLATION NEEDED TO ACTIVATE PROVISIONS OF CP-4

<u>Proposed Citation</u>	<u>General Subject</u>	<u>Specific Subject Matter</u>	<u>Statutory Citation*</u>
IV:1(A)	Elected Officers	Delete statutory references to comptroller, custodian of voting machines, register of land office as elected officers	R.S. 18:1163 R.S. 41:1 R.S. 49:351-358
IV: 1(B), 22	Reorganization	Establish twenty departments in executive branch	R.S. 49:200* or R.S. 49:211*
IV: 2(A)	Qualifications	Define "elector".(c)	R.S. 18:31, 270,202
IV:3(B)	Commencement of terms	Delete present statutes conflicting with provision that all statewide elected officers are to take office at specified time, i.e.:	
		(1) Governor to issue commissions to other elected officers within 30 days after his inauguration (d)	(1) R.S. 18:571
		(2) Public officers to take oath and give bond, if required, within 30 days after receipt of commission	(2) R.S. 42:141
		(3) Treasurer to be commissioned by governor before taking office; governor not to commission until bond is given	(3) R.S. 49:301
		(4) Treasurer to deliver bond within ten days after election and before being commissioned	(4) R.S. 49:305

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(c) Provisions of the 1921 Constitution, Art. VIII, Sec. 1 defining "elector" have been deleted from the proposed constitution. Although R.S. 18:31 and R.S. 18:270.202 set qualifications for registration, clarification of the term "elector" should be provided in the statutes.

(d) Elected candidates, under present law, take office after being commissioned by the governor (30-day period provided), taking oath, giving bond if required by law.

\* Designates suggested placement for new provisions.



<u>Proposed Citation</u>	<u>General Subject</u>	<u>SPECIFIC SUBJECT MATTER</u>	<u>LEGISLATIVE CITATION</u>
IV:5(D)	Executive operating budget	Budget to include "all" proposed state expenditures and revenues for the year; use term "operating budget"	R.S. 39:41, 43*
IV:5(F)	Pardon board	Delete present methods of granting clemency which conflict with proposed article (e)	R.S. 15:571.7 R.S. 15:572* (See R.S. 15:572-574.1, generally)
IV:5(J)	Governor's removal power	Amend present law: persons appointed from lists or confirmed by Senate not subject to removal by governor	R.S. 42:4
IV:6	Lt. governor	Delete legislative duties and benefits	R.S. 24:401, 503 R.S. 39:311.1
IV:9	Treasurer	Make statutory language on reports conform to new constitutional language	R.S. 49:309(6)
IV:12	Elections	(1) Provide duties of commissioner of elections (2) Delete Board of Registration, duties (3) Delete Custodian of Voting Machines, duties	R.S. 18:191* or R.S. 18:1163*  R.S. 18:191 R.S. 18:1163
IV:13	Assistants to elected officials	Review present statutes and amend as required: (1) Custodian of voting machines to appoint assistants (2) Commissioner of insurance to appoint deputy commissioner	(1) R.S. 18:1163(C)  (2) R.S. 22:2(A)

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(e) R.S. 40:981 prohibits granting of pardons to certain drug pushers

\* Designates suggested placement for new provisions.

<u>Proposed Citation</u>	<u>General Subject</u>	<u>Specific Subject Matter</u>	<u>Statutory Citation*</u>
IV:16	Vacancies, state-wide elective officers	(3) Register of land office to appoint assistant	(3) R.S. 41:2.1
		(4) Attorney general, second assistant, salary	(4) R.S. 49:258
		(5) Assistant treasurer, oath and bond, salary	(5) R.S. 49:314, 315
		Review present statutes and amend as required:	
		(1) Vacancies in office of commissioner of agriculture to be filled by governor	(1) R.S. 3:4
IV:17,18	Other vacancies	(2) Vacancies in office of supt. of education to be filled by state board	(2) R.S. 17:4
		(3) Vacancy in office of treasurer caused by failure to post bond to be filled by election	(3) R.S. 49:356
		(4) Vacancy in office of comptroller to be filled by governor	(4) R.S. 49:305
		Amend conflicting provision in present statute: Vacancies to be filled by governor with advice and consent of Senate except where otherwise provided by U.S. laws, La. constitution, and where laws already provide for appointment by the governor. No requirement on qualifications.	R.S. 42:371

I-C. ITEMS FOR SCHEDULE

Proposed Constitution

<u>Citation</u>	<u>Subject</u>
IV:3(B)	Commencement of term of elected officials
IV:5(F-2)	Present pardon board to continue until new pardon board appointed
IV:6	Lt. governor to continue present statutory functions until stated time
IV:12	Custodian of Voting Machines to act as Commissioner of Elections until new election
IV:22[CP-19(31)]	Reorganization
CP-5	Terms of public service commissioners

I-D. OBSOLETE PROVISIONS OF THE 1921 CONSTITUTION  
(in Sections considered by CED)

<u>Citation</u>	<u>Subject</u>
V:1	Reference to "Auditor" as meaning "Comptroller"
V:5	Constitutional salaries for governor and lieutenant governor
V:20	Insurance department as part of the office of secretary of state
VI:1	References to transfer of employees and property from old to reorganized departments of wildlife and fisheries, forestry, and conservation; references to forestry acts passed between 1922-1932
VI:3,9	Reference to Railroad Commission
VI:19	Reference to State Board of Engineers
VI:26	Reference to State Printing Board
VII:57	Constitutional salaries, department of justice
X:2	Reference to Board of State Affairs; reference to tax commission's authority over state budget
XII:5	Constitutional salary, superintendent of education
XVIII:3,6	Reference to role of Board of Liquidation in issuing bonds for confederate veteran pensions; matured bond issue.
XVIII:8	Reference to role of Board of Liquidation in issuing bonds for Confederate Memorial Medical Center and making improvements at other state institutions; matured bond issue.

Pursuant to Committee Report No. 11, the Committee on the Judiciary submits the following report with respect to transitional measures:

- I. Articles and Sections of the proposed constitution not applicable submitted to and adopted by the convention.
- II. Provisions subject to change by supermajority, but not applicable; these were incorporated in the body of the new constitutional sections.
- III. Provisions of the 1921 Constitution to be made statutory

ARTICLE      SECTION

VII	7	(2/3)
	8	(No change re vested rights)
	9	(2/3)
	12.1	(retirement provision)
	20	(see new Art. V, §58,9)
	21	(see new Art. V, §58,9)
	13	
	31-31.2	(see new Art. V, §514,15)
	33	(terms for new judgeship)
	46-53	(justice of the peace and city court)
	75	(see new Art. V, §524,35)
	80	(see new Art. V, §524,35)
	81	

ARTICLE      SECTION

VII	82	
	83	
	85	
	89	(see new Art. V, §35)
	90	(Salary)
	91	
	92	
	94	
	95	(see new Art. V, §35)
	96	(see new Art. V, §35)
IX	97	(see new Art. V, §535 and 22)
	4	(see new Art. V, §25)

- IV. Provisions of the proposed new constitution which require new legislation for implementation:

ARTICLE      SECTION      ARTICLE      SECTION

VII	3	V	24
	10		5
	14		-
	24		-
	32		-
	36		16B
	37		-

- V. Historical notes and other matters:

<u>ARTICLE</u>	<u>SECTION</u>
VII	1, 42
	3 (in part)
	5
	6, 41
	11 (in part)
	13
	14
	16
	17
	18
	24
	27
	30
	32
	37
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	39
	43
	44
	45
	59 (in part)
	59.1
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ARTICLE      SECTION

VII	64
	68
	73
	74
	84
	85
	86 (in part)
	86
	97

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THE GREAT SEAL  
OF THE STATE OF LOUISIANA  
1808

January 14, 1974

TO: Committee on Legislative Liaison and Transitional Measures

FROM: Committee on Local and Parochial Government

RE: Disposition of Articles and Sections of 1921 Constitution, assigned to committee as primary responsibility, in conformity with COMMITTEE RESOLUTION NO. 11

I. Articles and Sections of the 1921 Constitution superseded by the new constitution:

Article	Section	Title
IV	5	Local or special laws; indirect enactment; repeal
	6	Local or special laws; notice of intention; publication
VII	69	Vacancies; appointments; special elections; notices
X	10	Political subdivisions; special local taxes; purposes; limitations
	10(B)	Revenue Sharing Fund
	13	Local improvement assessments
XIV	1	New parishes
	2	Change of parish lines or removal of seat; election
	3	Optional plans of parochial government
	3(e)	St. Bernard Parish; home rule powers, plan of government

Article	Section	Title
XIV	3(f)	St. Charles Parish; charter commission; plan of government
	3(g)	Parish charter commission; its duties, powers, functions and limitations
	4	Dissolution and merger of parishes
	5	New or enlarged parishes; adjustment of assets and liabilities
	7	Withdrawal of municipality from parochial taxing authority
	8	Parochial taxation in cities and towns; limitation
	9	Tax assessor
	11	Parochial tax limits; tax for municipal, district and parish fairs
	13	City of Shreveport bonds ratified and reaffirmed
	16	Servitudes; public acquisition by prescription
	18	Municipal ice factories
	24.1	Motor fuel; local taxation prohibited
	29	Zoning ordinances
	29.1	Parish industrial areas
	31.1	New Orleans; bond issue to purchase ferry systems
	31.2	Shreveport; bond issue to pay outstanding indebtedness
	31.4	New Orleans; Upper Pontalba Building; refinancing obligations
	40(a), (b), (d), (e), (f)	Municipalities; charters and powers; home rule

Article	Section	Title
XIV	46	Governing authorities of parishes and municipalities; power to abolish agencies created by them; fiscal and budgetary controls
XV	2	Existing laws continued
XVI	2	District taxes; Orleans levee district tax
	3	Bond issues
	5	Cooperation with federal government
	16	Prescription against state
II.	Articles and Sections of the 1921 Constitution to be made statutory, subject to change by a majority vote of the legislature:	
Article	Section	Title
VI	11.1	Mosquito abatement districts
	27	Lake Pontchartrain; Sale of Submerged Lands; Islands; Causeway
	31	Greater Ouachita Port Commission
	32	Caddo-Bossier Parishes Port Commission
	33	Lake Providence Port Commission
	35	Avoyelles Parish Port Commission
	36.1	Rapides Parish Port Commission
X	10A	Special tax for municipal services
	23	Tax levy for capital improvements at Francis T. Nicholls State College at Thibodaux
XIV	3(b)	East Baton Rouge Parish; recreation and park commission
	3(d)(first)	Acquisition and financing of sewerage improvements
	6	Property for navigation canals; acquisition by parishes or municipalities; financing
	3	
Article	Section	Title
XIV	10	Municipal consolidation; special taxes
	12	Municipal tax limits; special taxes
	14	Subdivisions of state; creation; indebtedness; bond issues; special taxes
	19	Special tax to aid public utilities; elections; qualification of voters
	22A	Vieux Carre Commission
	23	New Orleans; special acts ratified
	21.1 through 23.43	New Orleans; sewerage, water and drainage bonds
	24	New Orleans; board of liquidation of city debt; bond issues for public improvement
	24.2 through 24.23	New Orleans; sewerage, water and drainage bonds
	25	New Orleans; special tax for fire and police departments
	25.1	New Orleans; special tax for general municipal purposes
	26	New Orleans; public belt railroad; commission
	27	New Orleans; public belt railroad; bonds and notes
	28	New Orleans; public belt bridge over Mississippi; use; financing
	30	Improvements by riparian owners in cities over 5,000 or within port of New Orleans; expropriation; just compensation
	30.1	Port, harbor and terminal districts; creation as political subdivisions
	30.3	Navigation and river improvement districts; creation as political subdivisions

Article	Section	Title
XIV	30.4	Navigation and river improvement districts; effect on levee boards
	30.5	Red River Waterway
	31	Port, harbor and terminal districts; creation as political subdivisions; ratification of Lake Charles harbor and terminal district
	31.3	New Orleans; railroad passenger stations
	31.6	New Orleans; Moisant International Airport Improvements
	31.7	New Orleans; Vehicular and/or Pedestrian Crossing over or under inner-harbor navigational canal
	32	Caddo Parish; sale of jail site; proceeds
	33	Industrial plant erection; agricultural industrial boards
	34	Garbage Districts
	35	Fourth Jefferson drainage district; bond issue
	36	Jefferson Parish; community center and playground districts; bonds
	37.1	Jefferson Parish; sub-sewerage districts
	38	Jefferson Parish; public improvement districts; levee systems, pumps, etc.; indebtedness; bonds
	38	Jefferson Parish; public improvement districts
	38.1	St. Charles Parish; reclamation projects by public improvement districts
	39	City of Lake Charles; reclamation and development of lake front
	39.1	Calcasieu Parish; community center and playground districts; bond issue; secretary-treasurer's performance bond
	43	Jefferson Parish; consolidated drainage districts; bonds; taxation
	5	

Article	Section	Title
XIV	44	City of Lake Charles; reclamation and development of lake bed and waterfront; acquisition of property; bonds
	44.1	City of Lake Charles; reclamation and development of lake front; acquisition of property; bonds
	45	Sabine River Authority
	47	Louisiana Stadium and Exposition District
	48	Municipalities and special service districts; annexed areas; contracts; taxation and transfer of facilities
XV	1	Drainage Districts; Authorization; powers
	3	Bayou Lafourche fresh water district
	4	Iatt Lake Water Conservation District
XVI	1	Levee system; maintenance; state tax
	4	Interstate districts
	6	Compensation for property used or destroyed; tax
	7	Orleans levee district; board of commissioners; powers
	8	Ponchartrain levee district; commissioners; land protection; bonds
	8(a)	Ponchartrain levee district; additional bond issue

XIX	20	New Basin Canal and Shell Road; New Orleans union railroad passenger terminal facility
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6

Article	Section	Title
VI	16	Board of commissioners of the port of New Orleans
	16.1	Powers of board; lease of lands acquired for navigation canal
	16.2	Powers of board; organization of industrial districts
	16.3	Powers of board; organization of industrial districts; continuing authority
	16.4	Additional authority of board
	16.5	Limitation on bonded indebtedness
	16.6	Additional powers and authority
	17	Members of board; appointment; term; removal
	29	Greater Baton Rouge Port Commission
	29.1	Debt limitation
	29.2	Ascension Parish included in Port area
	29.3	Number of commissioners
	29.4	Full faith and credit of parishes pledged
	33.1	South Louisiana Port Commission
	34	Concordia Parish Port Commission
XIV	30.2	Lake Charles Harbor and Terminal District; ratification; Board of Commissioners, members, officers, agents and employees

7

#### IV. Articles and Sections of the 1921 Constitution which require a special schedule provision:

Article	Section	Title
XIV	3(a)	East Baton Rouge Parish
	3(c)	Jefferson Parish; charter commission; plan of government
	3(d) (second)	Parish Charter Commission
	22	New Orleans; election of officers; form of government; powers; home rule charters
	37	Shreveport; home rule; charter commission
	40(c)	Municipalities; charters and powers; home rule
V.		Articles and Sections of the proposed new constitution which require new legislation for implementation:
Article	Section	Title
VI	5(D)	Home Rule Charter; Adoption by Two or More Local Governmental Subdivisions
	37	Local Improvement Assessments
	38	Revenue-Producing Property
	43	Compensation for Property Used or Destroyed; Tax
	44	Port Commissions and Districts

<sup>1</sup>Section \_\_\_\_ . Ports: Transition to Statutes

Section \_\_\_\_ . All provisions of Article VI, Sections 16, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 17, 29, 29.1, 29.2, 29.3, 29.4, 33.1, 34, and Article XIV, Section 30.2 of the Constitution of 1921 shall become statutes subject to amendment or repeal only as provided in Article VI, Section 44 of this constitution.

8

<sup>2</sup>Section \_\_\_\_ . Home Rule Charters; Authorization

Section \_\_\_\_ . The provisions of Article XIV, Sections 3(a), 3(c), 3(d) (second), 22, 37, and 40(c) of the Constitution of 1921 are continued in effect as the constitutional authorization for home rule charters or plans of government ratified in Article VI, Section 4 of this constitution.

III. Articles and Sections of 1921 Constitution to be made statutory, but which require a special schedule provision<sup>1</sup> for orderly transition:

COMMITTEE ON REVENUE, FINANCE AND TAXATION  
UNOFFICIAL STAFF REPORT

RE: DISPOSITION OF ARTICLES AND SECTIONS OF 1921 CONSTITUTION ASSIGNED TO COMMITTEE AS PRIMARY RESPONSIBILITY (CP 26, PROPERTY TAXATION ONLY)

January 19, 1974

Articles and Sections of the 1921 Constitution retained in whole or in part in the proposed constitution:

1921 Constitution			Proposed Constitution		
Art.	Sec.	Title	Art.	Sec.	Title
X	1	Assessments and Valuations	XI	1	A Assessment of Property
X	3	1 Rate of State Taxation; Limitation	XI	2	Rate of State Property Taxation; Limitation
X	4	1 Public Property	XI	4	A (No paragraph title)
X	4	2 Religious, Charitable and Educational Property	XI	4	B (No paragraph title)
X	4	3 Moneys and Credits; Household property; military organization; Agricultural Products; etc.	XI	4	C (No paragraph title)
X	4	8 Motor Vehicles	XI	4	E (No paragraph title)
X	4	9 Homesteads	XI	3	A Homeowners
X	4	9(b) Veterans	XI	3	A Homeowners
X	4	9(b.1) Veterans of both World War II and Korean conflict	XI	3	A Homeowners
X	4	9(b.2) Veterans	XI	3	A Homeowners
X	4	9(b.4) Veterans	XI	3	A Homeowners
X	4	9(c) City of Monroe and Monroe City School Board	XI	3	A Homeowners
X	4	10 New Manufacturing Establishments	XI	4	F (No paragraph title)
X	4	17 Household Furniture	XI	4	C (No paragraph title)
X	4	18 Property of Nonprofit Corporations Devoted to Promotion of Trade, Travel and Commerce	XI	4	B (No paragraph title)



<u>Art.</u>	<u>Sec.</u>	<u>Par.</u>	<u>Title</u>	<u>Art.</u>	<u>Sec.</u>	<u>Par.</u>	<u>Title</u>
X	4	19(a)	(No paragraph title)	XI	4	Ø(1)	(No paragraph title)
X	4	19(b)	(No paragraph title)	XI	4	Ø(2)	(No paragraph title)
X	4	19(c)	(No paragraph title)	XI	4	Ø(3)	(No paragraph title)
X <sup>7</sup>	6		Local, Municipal and District Taxes; Assessments; Collection	XI	1	D	Valuation
X	10B		Revenue-Sharing Fund	XI	7		Revenue-Sharing Fund;
X	11		Collection of Taxes; Tax Sales; Quieting Tax Titles; Postponement of Taxes; Loans to Parishes	XI	9		Tax Sales; Redemption of Property
XIV	9		Tax Assessor	XI	8	A	(No paragraph title)
XIV	20		Board of Assessors for Orleans Parish	XI	8	B	(No paragraph title)

II. Articles and Sections of the 1921 Constitution to be made statutory, but subject to legislative change only by a super majority vote:

<u>Article</u>	<u>Section</u>	<u>Par.</u>	<u>Title</u>
X	16		Rolling Stock; Nonresident Owners; Assessment

III. Articles and Sections of the 1921 Constitution to be made statutory and subject to legislative change by a majority vote:

<u>Article</u>	<u>Section</u>	<u>Par.</u>	<u>Title</u>
X	1	8	Classification of Forest Lands
X	1	9	Assessment of Forest Lands; Liability for Ad Valorem Taxes
X 1	2	1,2	Tax Commission; Powers; Appointment; Terms; Salary
X 8	6		Local, Municipal and District Taxes; Assessment; Collection
X 9	15		Survey and Maps to Aid Assessment and Taxation; Cost
Xiv 12	21		State Tax Collector for City of New Orleans
Xiv 13	1-5		Homestead Exemptions (Seizure and Sale)

IV. Articles and Sections of the proposed constitution which require new legislation for implementation:

<u>Article</u>	<u>Section</u>	<u>Par.</u>	<u>Title</u>
XI	1	C	(No paragraph title)
XI	1	D	(No paragraph title)
XI	1	E	(No paragraph title)
XI	1	F	(No paragraph title)
XI	3	F	(No paragraph title)
XI	6	C	(No paragraph title)
XI	6	D	(No paragraph title)
XI	6	E	(No paragraph title)
XI	8	A	(No paragraph title)
XI	8	C	(No paragraph title)
XI	9		Tax Sales; Redemption of Property

Articles and Sections of the 1921 Constitution which are unconstitutional, obsolete, or unnecessary:

<u>Article</u>	<u>Section</u>	<u>Par.</u>	<u>Title</u>
X	4	4	Irrigation, Navigation and Hydro-electric Power Systems
X	4	5	Natural Gas Facilities
X	4	6	Manufacturing or Commercial Facilities on Navigation Canal
X	4	7	Bridges
X	4	9(a)	Property Tax Relief Fund
X <sup>2</sup>	4	12	Bridges Built Under Federal Loan
X <sup>3</sup>	4	13	Free Bridges
X <sup>4</sup>	4	14	Electric Co-operatives
X	4	15	Aircraft, Hangars and Equipment
X <sup>5</sup>	4	[16]	Redevelopment Corporations
X <sup>6</sup>	5.1		Action to be Taken Upon the Integration of Any Tax Supported Facility of Any Political Subdivision of the State Which Was Segregated as to Race by Law When the Tax was Authorized
X	12		Real Estate Valuation
X	19		Dwelling House Exemption in Certain Municipalities; Time Limit

<u>Article</u>	<u>Section</u>	<u>Par.</u>	<u>Title</u>
X10	22		New Industries; Exemption from Municipal and Parochial Taxation; School Tax Exemption
X11	24		Authority for Tax Relief for Manufacturing Establishments
X-A	1		Ad Valorem Property Taxes by State Repealed
X-A	2		Outstanding bonds secured by pledge or dedication of state property taxes made general obligations of the state; payment from Bond Security and Redemption Fund
XI	1-5		Homestead Exemptions (Seizure and Sale)
XIV	22	7-19	(No paragraph titles)
XIV	23.2		New Orleans; Sewerage, Water and Drainage System; Extension; Special Tax

VI. Articles and Sections of the proposed constitution which require a schedule provision for orderly transition from the 1921 Constitution:

<u>Article</u>	<u>Section</u>	<u>Par.</u>	<u>Title</u>
XI	1	H	(No paragraph title)
XI	5		Adjustment of Ad Valorem Tax Millages

<sup>1</sup>Presently in statutes; sufficient as is. See R.S. 47:1831-47:1836.

<sup>2</sup>Deleted by Committee with intention of not retaining this exemption.

<sup>3</sup>See footnote 2, supra.

<sup>4</sup>See footnote 2, supra.

<sup>5</sup>See footnote 2, supra.

<sup>6</sup>Deleted by Committee with intention of not retaining this provision.

<sup>7</sup>Only partially retained in proposed constitution, Article XI, Section 1(D). Other provisions of La. Const. of 1921, Art. X,\$6, presently in R.S. 33:2841 and R.S. 33:461, which are sufficient as is.

<sup>8</sup>See footnote 7, supra.

<sup>9</sup>Partially covered by R.S. 47:1959, but amendment needed.

<sup>10</sup>See footnotes 2 and 6, supra.

<sup>11</sup>See footnotes 2 and 6, supra.

<sup>12</sup>Partially covered by R.S. 47:2057, but amendment needed.

<sup>13</sup>See Delegate Proposal 16. Homestead exemption from seizure and sale was generally covered in Delegate Proposal 16. The more specific provisions as contained in the present constitution are to be transferred to the statutes by recommendation of the committee.

1. The purpose of this document is to provide information on the proposed new legislation for the purpose of the public hearing.

2. The purpose of this document is to provide information on the proposed new legislation for the purpose of the public hearing.

PUBLIC HEARING

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VI. The purpose of this document is to provide information on the proposed new legislation for the purpose of the public hearing.	Page 14

COMMITTEE ON EDUCATION AND WELFARE

RE: DISPOSITION OF ARTICLES AND SECTIONS OF 1921 CONSTITUTION ASSIGNED TO COMMITTEE AS PRIMARY RESPONSIBILITY

EDUCATION

I. Articles and Sections of 1921 Constitution retained in the proposed new constitution:

1921 Constitution				New Constitution			
Art.	Sec.	Para.	Title	Art.	Sec.	Para.	Title
XII	1		Public educational system; admission	IX	2		Public educational system
XII	2		Coordination of schools	IX <sup>1</sup>	7	(E)	Board of regents
XII	3		Elementary schools; course of study	IX			Preamble
XII	4		State Board of Education members; powers and duties	IX	4		State Board of elementary and Secondary Schools
XII	5		State superintendent of public education	IX	3		State Superintendent of Public Elementary and Secondary Education
XII	6		State board of education; control of public schools	IX	4		State Board of Elementary and Secondary Schools
XII	7		Colleges and universities; supervision; coordinating council	IX	7		Board of Regents
	(A)		Board of Supervisors of L.S.U.	IX	9		Board of Supervisors of L.S.U.
	(B)		State board of education	IX	8		Board of Trustees for State Colleges and Universities
			Teachers certificates; approval of private schools and colleges <sup>2</sup>	IX	6		Approval of private schools; effect

1921 Constitution				New Constitution		
Art.	Sec.	Para.	Title	Art.	Sec.	Para. Title
		(C)	The Louisiana coordinating council for higher education; composition	IX	7	Board of Regents
XII	8		Administrative departments; expenditures; legislative control	IX	14	Appropriations; Boards
XII	9		Higher institutions of learning; appropriations	IX	8	Board of Trustees for State Colleges and Universities
				IX	15	Appropriations; Higher Education
XII	10		Parish school boards; parish superintendents	IX	12	(A), Parish School Boards; (B) Parish Superintendents
XII	11		Recognition of existing boards and systems	IX	13	(A), Recognition of Boards (B), and Systems; Consoli- (C) dation
XII	14		Elementary and secondary schools; sources of funds; apportionment	IX	16 <sup>3</sup>	(A), Funding; Elementary and (B) Secondary Education; Apportionment
XII	15		Parish school funds; sources, management	IX	16	(C) First
XII	16		Orleans parish school board; tax rate; payment to levy commissioners; indebtedness; bond issue; additional tax	IX	16	(C) Second
XII	24		Tulane University	IX	17	Tulane University



II. Provisions of the 1921 Constitution to be made statutory, but subject to legislative change only by a super majority vote. Not applicable.

III. Provisions of the 1921 Constitution to be made statutory and subject to legislative change by the usual majority vote.

1921 Constitution

<u>Article</u>	<u>Section</u>	<u>Title</u>
XII	13	No appropriation of public funds for private or sectarian schools
XII	18	Sixteenth section or indemnity lands; adjustments; distribution of proceeds
XII	19	Free school fund; state indebtedness; interest; proceeds of sale of sixteenth sections
XII	20	Seminary fund; state indebtedness; interest
XII	21	Agricultural and mechanical college fund; state indebtedness; interest
XII	22	Segregation of funds
XII	25	Metropolitan branch of LSU; establishment and location
XII	26	New Orleans branch of SU, A&M college

IV. Provisions of the proposed new constitution which require new legislation for implementation.

<u>Article</u>	<u>Section</u>	<u>Title</u>
IX	3	State Superintendent of Public Elementary and Secondary Education
IX	4	State Board of Elementary and Secondary Education
IX	6	Approval of Private Schools; Effect
IX	7	Board of Regents
IX	8	Board of Trustees for State Colleges and Universities
IX	9	Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; Board of Supervisors of Southern University and Agricultural and Mechanical College

IX	11	Boards; Dual Membership Prohibited; Student Membership Authorized
IX	12	Parish School Boards; Parish Superintendents
IX	13	Recognition of Existing Boards and Systems; Consolidation
IX	14	Appropriations; Boards
IX	15	Appropriations; Higher Education
IX	16	Funding; Elementary and Secondary Education; Apportionment
XIV	4	State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities

V. Material which is obsolete or unnecessary:

<u>Article</u>	<u>Section</u>	<u>Title</u>
XII	12	English language
XII	14First <sup>4</sup>	Elementary and secondary schools; sources of funds; apportionment
XII	17	Louisiana State University; sources of funds

VI. Articles and Sections of the proposed constitution which require a schedule provision for orderly transition from the 1921 Constitution:

<u>Article</u>	<u>Section</u>	<u>Title</u>
IX	4 <sup>5</sup>	State Board of Elementary and Secondary Education
IX	7 <sup>6</sup>	Board of Regents
IX	8 <sup>7</sup>	Board of Trustees for State Colleges and Universities
IX	9 <sup>8</sup>	Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; Board of Supervisors of Southern University and Agricultural and Mechanical College

VII. New provisions, Articles and Sections not covered by the 1921 Constitution:

<u>Article</u>	<u>Section</u>	<u>Title</u>
IX	11	Boards; Dual Membership Prohibited; Student Membership Authorized
XIV	5	Boards; New Appointments

-5-

1The concept of coordination of schools has been retained in Article IX, §7(E).

2Provisions for certification of teachers was deleted by the convention.

3Article XII, §14 of the 1921 Constitution enumerates the sources of funds for elementary and secondary schools (severance taxes, ad valorem taxes, taxes levied on retail sale of gasoline, etc.). Article IX, §16 of the proposed constitution provides that the legislature shall appropriate funds for elementary and secondary education. The appropriation shall be sufficient to insure a minimum foundation program of education.

4Article XII, §14 First allocated a portion of the proceeds from the statewide ad valorem tax to education. Ad valorem taxation by the state has been repealed.

5Proposed Article XIV, §4, (CP #30 adopted November 20, 1973) contains transition provision for this Section.

6Proposed Article XIV, §2, (CP #30 adopted November 20, 1973) contains transition provision for this Section.

7Proposed Article XIV, §4, (CP #30 adopted November 20, 1973) contains transition provision for this Section.

8Proposed Article XIV, §3, (CP #30 adopted November 20, 1973) contains transition provision for this Section.

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COMMITTEE ON EDUCATION AND WELFARE

II: DISPOSITION OF ARTICLES AND SECTIONS OF 1921 CONSTITUTION ASSIGNED TO COMMITTEE  
AS PRIMARY RESPONSIBILITY

HUMAN RESOURCES

I. Articles and Sections of the 1921 Constitution retained in whole or in part in the proposed new constitution:

1921 Constitution				New Constitution			
<u>Art.</u>	<u>Sec.</u>	<u>Para.</u>	<u>Title</u>	<u>Art.</u>	<u>Sec.</u>	<u>Para.</u>	<u>Title</u>
III	33		Convict labor; public works; leases	VII	1 <sup>1</sup>		Penal Institutions
III	36		Arbitration laws	VII	1 <sup>2</sup>		Arbitration
VI	11		Boards of health; state, parochial and municipal; state health officer	VII	1 <sup>3</sup>		Economic Security; Social Welfare; Unemployment Security; Public Health
VI	12		Public health; practice of healing arts; food and drug regulations	VII	1 <sup>3</sup>		Economic Security; Social Welfare; Unemployment Security; Public Health
XII	23		Retirement funds; teachers; school employees	VII	1 <sup>4</sup>	(A)	Retirement System; Public School Employees
XIV	15		Civil Service system; state; cities	VII	1		State and City Civil Service
XIV	15	(A) (1)	Appointments and promotions; examinations; discrimination	VII	1	(A) (2)	City Civil Service
					1	(G)	Appointments; Promotions
					1	(H)	Appeals
XIV	15	(A) (2)	State Service	VII	1	(A) (1)	State Civil Service

1921 Constitution			New Constitution		
Art.	Sec.	Para.	Art.	Sec.	Para.
XIV	15	(A) (3)	VII	1	(A) (2)
		City service			City Civil Service
XIV	15	(B)	VII	1	(F)
		Departments; state; city directors of personnel			Department of Civil Service; Directors
XIV	15	(C)	VII	1	(C)
		State commission			State Civil Service Commission; Appointment; Nomination
XIV	15	(D)	VII	1	(D)
		City commission			City Civil Service Commission; Appointment; Nomination; Vacancies
XIV	15	(E)	VII	1	(C)
		Commissions; domicile; members; removal; political activity			State Civil Service Commission; Appointment; Nomination
					City Civil Service Commission; Appointment; Nomination; Vacancies
					Removal
					Prohibitions Against Political Activities
XIV	15	(F) (1)	VII	1	(F)
		Directors of personnel; appointment; powers and duties; removal			Department of Civil Service; Directors
XIV	15	(F) (2)	VII	1	(J) <sup>5</sup>
		Directors of personnel; conduct of examinations			Rules; Investigations; Wages and Hours
XIV	15	(G)	VII	1	(B)
		Unclassified and classified service; definitions; change of status			Classified and Unclassified Service
XIV	15	(H)	VII	1	(J)
		Waiver of requirements in filling certain vacancies			Rules; Investigations; Wages and Hours
XIV	15	(I)	VII	1	(G)
		Rules and regulations; removal of names from lists; delegation of powers			Appointments; Promotions
					Rules; Investigations; Wages and Hours

1921 Constitution				New Constitution			
Art.	Sec.	Para.	Title	Art.	Sec.	Para.	Title
XIV	15	(J) (1)	Promotions	VII	1	(J)	Rules; Investigations; Wages and Hours
XIV	15	(J) (2)	Lay-offs; preference employees reinstatement or preferred reemployment lists	VII	1	(J) <sup>6</sup>	Rules; Investigations; Wages and Hours
XIV	15	(L)	Department records	VII	1	(J) <sup>7</sup>	Rules; Investigations; Wages and Hours
XIV	15	(M) (1)	Departments; Service agreements with other public bodies	VII	1	(J)	Rules; Investigations; Wages and Hours
XIV	15	(M) (2)	Cooperation	VII	1	(J)	Rules; Investigations; Wages and Hours
XIV	15	(M) (3)	Certification of payroll	VII	1	(J)	Rules; Investigations; Wages and Hours
XIV	15	(N) (1)	Employees' rights and obligations; dismissal, etc. for cause	VII	1	(H)	Appeals
XIV	15	(N) (2)	Discrimination; political or religious	VII	1	(H)	Appeals
XIV	15	(N) (3)	Political contributions	VII	1	(I)	Prohibitions Against Political Activities
XIV	15	(N) (4)	Falsifications; fraud	VII	1	(J) <sup>6</sup>	Rules; Investigations; Wages and Hours
XIV	15	(N) (5)	Purchase or sale of position	VII	1	(J) <sup>6</sup>	Rules; Investigations; Wages and Hours
XIV	15	(N) (6)	Political activity; influencing subordination	VII	1	(I)	Prohibitions Against Political Activities
XIV	15	(N) (7)	Political activity; campaigning, etc.	VII	1	(I)	Prohibitions Against Political Activities
XIV	15	(N) (8)	Elective officers; exclusion from classified service	VII	1	(I)	Prohibitions Against Political Activities
XIV	15	(N) (9)	Political activity; commission rules	VII	1	(J)	Rules; Investigations; Wages and Hours

## 1921 Constitution

## New Constitution

<u>Art.</u>	<u>Sec.</u>	<u>Para.</u>	<u>Title</u>
XIV	15	(O) (1)	Appeals; jurisdiction; decision; judicial review
XIV	15	(O) (2)	Right of appeal
XIV	15	(O) (3)	Reinstatement by commission; conditions; pay for lost time
XIV	15	(O) (4)	Violations; investigations; hearings; suspension or dismissal
XIV	15	(O) (5)	Witnesses; production of evidence
XIV	15	(O) (6)	Reference; powers of referee
XIV	15	(O) (7)	Witnesses; offenses; contumacy
XIV	15	(O) (8)	Costs
XIV	15	(P) (1)	Conduct of employees; refusal to testify; forfeiture of office
XIV	15	(P) (2)	Violations; eligibility for employment
XIV	15	(P) (3)	Violations; offense; punishment
XIV	15	(P) (4)	Conviction of violation; eligibility for employment
XIV	15	(P) (5)	Persons illegally employed; withholding compensation

<u>Art.</u>	<u>Sec.</u>	<u>Para.</u>	<u>Title</u>
VII	1	(L)	Appeal
VII	1	(H)	Appeals
VII	1	(J) <sup>6</sup>	Rules; Investigations; Wages and Hours
VII	1	(J)	Rules; Investigations; Wages and Hours
VII	1	(L)	Appeal
VII	1	(J)	Rules; Investigations; Wages and Hours
VII	1	(L)	Appeal
VII	1	(J)	Rules; Investigations; Wages and Hours
VII	1	(J)	Rules; Investigations; Wages and Hours
VII	1	(J)	Rules; Investigations; Wages and Hours
VII	1	(J)	Rules; Investigations; Wages and Hours
VII	1	(K)	Penalties
VII	1	(J) <sup>6</sup>	Rules; Investigations; Wages and Hours
VII	1	(J) <sup>6</sup>	Rules; Investigations; Wages and Hours

1921 Constitution

New Constitution

<u>Art.</u>	<u>Sec.</u>	<u>Para.</u>	<u>Title</u>	<u>Art.</u>	<u>Sec.</u>	<u>Para.</u>	<u>Title</u>
XIV	15	(T)	Appropriations	VII	1	(H)	Appropriations
XIV	15	(U)	City and parish governed jointly; acceptance of act	VII	1	(N)	Acceptance of Act; other Cities, Parishes, Civ. and Parish Governed Jointly
XIV	15	(W)	Exceptions	VII	1	(O)	Civ. Parish Civil Service System; Creation
XIV	15.1		Fire and police civil service; municipalities of 13,000 to 250,000	VII	1 <sup>8</sup>		Municipal Fire and Police Civil Service
XIV	15.2		Financial Security for surviving spouses and children of law enforcement officers in certain cases	VII	1 <sup>4</sup>	(C)	Compensation for Surviving Spouses and Children of Law Enforcement officers and Firemen
XIV	17		State penal institutions; crimes in, or by inmates or employees; reimbursement of parish expense	VII	1 <sup>9</sup>		Penal Institutions
XVIII	7		Social Security and Public Welfare	VII	2 <sup>3</sup>		Economic and Social Welfare, Unemployment Compensation, and Public Health
XVIII	9		Retirement fund, aged and incapacitated state employees	VII	1 <sup>4</sup>	(B)	Retirement System; State Officers and Employees
XVIII	9.1		Retirement system for political subdivision employees, policemen and firemen excepted	VII	1 <sup>4</sup>	(B)	Retirement System; State Officers and Employees
XIX	25		Retirement Systems; Notice of Intention to Propose Amendments or Change; Publication	VII	1 <sup>4</sup>	(D)	Retirement Systems; Notice of Intention to Propose Amendments or Change; Publication



II. Provisions of the 1921 Constitution to be made statutory, but subject to legislative change only by a super majority vote:

<u>1921 Constitution</u>		
<u>Article</u>	<u>Section</u>	<u>Title</u>
XIV	15.1 10	Fire and police civil service; municipalities of 13,000 to 250,000

III. Provisions of the 1921 Constitution to be made statutory and subject to legislative change by the usual majority vote:

<u>1921 Constitution</u>		
<u>Article</u>	<u>Section</u>	<u>Title</u>
XIV	15(K)	Commission members; Compensation
XIV	15(V)	Civil service commissions in cities not under section; powers

IV. Provisions of the proposed new constitution which require new legislation for implementation:

<u>Article</u>	<u>Section</u>	<u>Title</u>
VII	1	Retirement and Survivor's Benefits
VII	1	Penal Institutions
VII	1	Municipal Fire and Police Civil Service
VII	1(C)	State and City Civil Service Commission; Appointment; Nomination
VII	2	Economic and Social Welfare, Unemployment Compensation, and Public Health

V. Material which is obsolete or unnecessary:

<u>Article</u>	<u>Section</u>	<u>Title</u>
IV	14	State educational or charitable institutions; establishment; vote
VI	30 <sup>11</sup>	Board of institutions
X-A	3	Payment of Confederate pensions from general fund of the state
X-A	4 12	Annual payment to Louisiana State University and Agricultural and Mechanical College
XIII	4	Office location; books, inspection, contents
XIV	15 (P) (6)	Existing laws
XIV	15 (R)	Effective date
XIV	15 (S)	Merit system council; transfers to state civil service commission
XIV	15 (X)	Self-execution
XVIII	1	Soldier's home
XVIII	2 13	Confederate veterans and their widows; pensions
XVIII	3 13	Confederate veterans and their widows; tax for pensions; bonds
XVIII	4	Civil War; memorial hall for relics; battlefield markers and monuments
XVIII	5	Mothers' pensions
XVIII	6 13	Confederate veterans and their widows; back pensions; bond issue; tax; transfer of functions
XVIII	8	Confederate memorial medical center; correctional, charitable and penal institution; bonds, tax

<u>Article</u>	<u>Section</u>	<u>Title</u>
XVIII	10	Bonuses for service-men and service-women; bonds; tax
XVIII	11	Bonuses; veterans of Korean conflict; widows, orphans, or parent; indebtedness; tax; surplus
XVIII	12 <sup>14</sup>	Korean bonus
XVIII	12 <sup>15</sup>	Veterans of Spanish American War, Boxer Rebellion, Philippine insurrection and World War I; bonus
XX	1	Bond issue; Angola Plantation enlargement and improvement
VI. Articles and Sections of the proposed constitution which require a schedule provision for orderly transition from the 1921 constitution:		
<u>Article</u>	<u>Section</u>	<u>Title</u>
VII	1(C) <sup>16</sup>	State Civil Service Commission; Appointment; Nomination
VII	1(D) <sup>16</sup>	City Civil Service Commission; Appointment; Nomination

Footnote

- 1 The Committee on Education and Welfare included a section on convict labor in Committee Proposal No. 12. By a vote of 63-29 the convention deleted the provision relating to convict labor.
- 2 Committee Proposal No. 18 incorporated this section. By a vote of 88-11 the convention deleted the section.
- 3 Detail of existing section was deleted by the committee, but the proposal authorizes the legislature to establish a system of public health. Adopted by the convention as Article VII, Section 2.
- 4 Committee Proposal No. 11; Retirement and Survivor's Benefits.
- 5 Deletes detail of existing provision, but authorizes the commission to adopt rules relating to employment and qualifications.
- 6 Deletes detail of existing provision, but authorizes the commission to adopt rules relating to promotion, demotion, suspension, reduction in pay, removal, and all other personnel matters. Authorizes commission to impose penalties for violation of civil service rules.
- 7 Authorizes commission to adopt rules relating to all personnel matters and transactions.
- 8 Proposed provision retains and continues in force and effect the non-inconsistent provisions of Article XIV, Section 13.1 as statutes. Authorizes the legislature to amend or otherwise modify said statutes by two-thirds vote of the elected membership of each house within the bounds of specific limitations.
- 9 Convention changed title of section to "Penal Institutions".
- 10 Only those provisions of Article XIV, Section 15.1 that are not inconsistent with proposed Article VII, Section 1, Municipal Fire and Police Civil Service, are retained and continued in force and effect as statutes. The proposed provision also places specific limitations upon amending or otherwise modifying said statutes.
- 11 Repealed by Act 1968, No. 664, adopted November 5, 1968.
- 12 Committee Proposal No. 7, adopted by the convention on November 17, 1973, deleted all constitutional dedications to education and requires that "the appropriations for the institutions of higher education....be made to their respective managing boards."

13 Provision was merged and consolidated with system of financial assistance to aged, needy persons, Article XVIII, Section 7. However, the detail of Article XVIII, Section 7, was deleted by the Committee on Education and Welfare, but Committee Proposal No. 14 authorizes the legislature to establish a system of economic and social welfare, unemployment compensation and public health.

14 Two sections "12" were adopted at the general election of November 6, 1956. This particular section was added by Acts 1956, No. 614.

15 Two sections "12" were adopted at the general election of November 6, 1956. This particular section was added by Acts 1956, No. 620.

16 A transition provision is contained in Delegate Proposal No. 28.



January 12, 1974

TO: Committee on Legislative Liaison and Transitional Measures

FROM: Committee on Natural Resources and Environment

RE: Disposition of Articles and Sections of the 1921 Constitution Assigned to the Committee on Natural Resources and Environment

In accordance with your Committee Resolution No. 11, the Committee on Natural Resources and Environment submits the following report regarding Committee Proposal No. 37 (First Enrollment):

1. Articles and Sections of the Proposed New Constitution (carried over in some form from the 1921 Constitution)

1921 Constitution	Proposed New Constitution (First Enrollment)
VI 3	VIII 14(A) Composition: Term: Domicile
VI 4	VIII 14(B) Powers and Duties
VI 5	VIII 14(E) Appeals
VI 7	VIII 14(C) Limitation

2. Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change Only by a Super Majority Vote

None

3. Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change by the Usual Majority Vote

None

4. Provisions of the Proposed New Constitution (First Enrollment) Which Require New Legislation for Implementation

VI 14(A)	Composition: Term: Domicile
VI 14(B)	Powers and Duties
VI 14(D)	Applications, Petitions, and Schedules: Protective Bond and Security
VI 14(E)	Appeals

5. Material Which is Obsolete and Unnecessary (in the 1921 Constitution and Not Carried Over in the Proposed New Constitution, First Enrollment)

VI 6	Public Service Commission; Orders; Penalties for Violation
VI 8	Public Service Commission Districts
VI 9	Public Service Commission; Applicability of Laws Relating to Railroad Commissions

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January 12, 1974

TO: Committee on Legislative Liaison and Transitional Measures

FROM: Committee on Natural Resources and Environment

RE: Disposition of Articles and Sections of the 1921 Constitution Assigned to the Committee on Natural Resources and Environment

In accordance with your Committee Resolution No. 11, the Committee on Natural Resources and Environment submits the following report regarding Committee Proposal No. 34 (First Enrollment):

1. Articles and Sections of the Proposed New Constitution (carried over in some form from the 1921 Constitution)

1921 Constitution	Proposed New Constitution (First Enrollment)
IV 2 (42)	VIII 4. (part) Alienation of Water Bottoms 5(A). (part) Reservation of Mineral Rights
IV 2 (43)	VIII 8. [by reference to Art. XI, 54(D)] Royalty Fund
IV 2b	VIII 9. Tidelands Ownership
IV 2d	VIII 10. Offshore Mineral Revenues; Use of Funds
VI 1	VIII 1. Natural Resources and Environment; Public Policy
VI 1A	VIII 12. Wildlife and Fisheries Commission
VI 1B	VIII 13(B). Forestry Commission
VI 2	VIII 13(A). Forestry; Acreage Taxes

2. Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change Only by a Super Majority Vote

None

3. Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change by the Usual Majority Vote

None

4. Provisions of the Proposed New Constitution (First Enrollment) Which Require New Legislation for Implementation

VIII 1.	Natural Resources and Environment; Public Policy
VIII 2.	Natural Gas
VIII 6.1.	Public Notice; Public Bidding Requirements
VIII 12.	Wildlife and Fisheries Commission
VIII 13(B).	Forestry Commission

5. Material Which is Obsolete and Unnecessary (in the 1921 Constitution and Not Carried Over in the Proposed New Constitution, First Enrollment)

IV 2(c).	Mineral Revenues; Payment Into General Highway Fund
IV 12-b.	State Market Commission; Guaranteed Loans; Agricultural Facilities
IV 12-c.	Commissioner of Agriculture and Immigration; Guaranteed Loans; Farm Youth Organizations
VI 1(C).	Department of Conservation; Commissioner
VI 1(D).	General Provisions
VI 13.	Agriculture; Commissioner to Direct Department
VI 14.	Agriculture; Public Policy
VI 19.3	Beautification of Highways; Regulation of Outdoor Advertising and Junkyards
VI 27.	Lake Pontchartrain; Sale of Submerged Lands; Islands; Causeway
XIII 6.	Canal and Hydro-Electric Developments; Use of State Waters; State Ownership
XIV 33.	Industrial Plant Erection; Agricultural Industrial Boards
XIV 38.	Jefferson Parish; Public Improvement Districts

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XIV 38.1.	St. Charles Parish; Reclamation Projects by Public Improvement Districts
XIV 39.	City of Lake Charles; Reclamation and Development of Lake Front
XIV 39.1.	Calcasieu Parish; Community Center and Playground Districts; Bond Issue; Secretary-Treasurer's Performance Bond
XIV 44.	City of Lake Charles; Reclamation and Development of Lake Front; Acquisition of Property; Bonds
XIV 44.1.	City of Lake Charles; Reclamation and Development of Lake Front; Acquisition of Property; Bonds

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**COMMITTEE ON  
RULES, CREDENTIALS  
AND ETHICS**





# I. Temporary Rules Committee

## A. Minutes

CONSTITUTIONAL CONVENTION OF 1973

TEMPORARY RULES COMMITTEE

JANUARY 5, 6, 7, and 8, 1973

### Members Present

#### Congressional District No. 1

Anthony J. Guarisco - Representative District 51  
Delegate Chalin Perez - Representative District 10

#### Congressional District No. 2

Delegate Wendall Gauthier - Representative District 78  
Delegate Tom Velazquez - Representative District 97

#### Congressional District No. 3

Delegate Joe Conino - Representative District 80  
Delegate Stan Duval - Representative District 52

#### Congressional District No. 4

Delegate Jasper Smith - Representative District 1  
Delegate Harmon Drew - Representative District 2

#### Congressional District No. 5

Delegate Lance Womack - Representative District 20  
Delegate Donald Kelly - Representative District 23

#### Congressional District No. 6

Delegate Autley Newton - Representative District 73  
Delegate Gordon Kean - Representative District 70

#### Congressional District No. 7

Delegate Pat Juneau - Representative District 43  
Delegate Greg Arnette - Representative District 37

#### Congressional District No. 8

Delegate Lawrence Sandoz - Representative District 40  
Delegate Lynn Perkins - Representative District 28  
Delegate Tom Stagg - Representative District 5  
Chairman elected-at-large

Constitutional Convention of the state of Louisiana 1973 -  
Temporary Rules Committee - Minutes, January 5, 1973.

The Temporary Rules Committee of the Louisiana Constitutional Convention met on Friday, January 5, 1973, at 7 o'clock p.m., at the Prince Murat Hotel in Baton Rouge, Louisiana.

The chairman of said committee, Delegate Tom Stagg, presided and called the meeting to order at 7 o'clock p.m.

This was an informal meeting as called by Chairman Tom Stagg to inform the members of said committee that the first official meeting would be held Saturday, January 6, 1973, at 9 o'clock a.m. at the Prince Murat Inn.

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Constitutional Convention of the state of Louisiana 1973 -  
Temporary Rules Committee minutes - January 6, 1973.

The Temporary Rules Committee of the Louisiana Constitutional Convention met on Saturday, January 6, 1973 at the Prince Murat Inn.

The chairman, Tom Stagg, presided and called the meeting to order at 9 o'clock a.m.

Chairman, Tom Stagg, called the roll and members of said committee were present.

A motion was made and adopted that the officers of said committee be elected.

An election was held whereon Gordon Kean of Representative District 70 was elected vice-chairman, and Miss Lynn Perkins of Representative District 28 was elected secretary.

Chairman Tom Stagg then opened the floor for discussion from the visiting delegates. Herman "Monday" Lowe of Representative District 61 appeared before said committee to speak in behalf of establishing the position of treasurer of the Louisiana Constitutional Convention. The floor was opened to discussion relative to the proposal from Mr. Lowe.

Rules, suggestions of Mack Abraham, Representative District 35, were then read by Tom Stagg.

Visiting Delegate Max Tobias, Representative District 1 appointee, then inquired as to the validity of the oath taken by the delegates to the constitutional convention. A motion was then made by Wendall Gauthier that the chairman be contacted in regard to investigating the validity of said oath. Whereon said motion was duly seconded and carried.

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Constitutional Convention of the state of Louisiana 1973 -  
Temporary Rules Committee minutes - January 6, 1973.

The Temporary Rules Committee of the Louisiana Constitutional Convention met on Saturday, January 6, 1973 at the Prince Murat Inn.

The chairman, Tom Stagg, called the roll and members of said committee were present.

A motion was made and adopted that the officers of said committee be elected.

An election was held whereon Gordon Kean of Representative District 70 was elected vice chairman, and Miss Lynn Perkins of Representative District 28 was elected secretary.

Chairman Tom Stagg then opened the floor for discussion from the visiting delegates. Herman "Monday" Lowe of Representative District 61 appeared before said committee to speak in behalf of establishing the position of treasurer of the Louisiana Constitutional Convention. The floor was opened to discussion relative to the proposal from Mr. Lowe.

Rules, suggestions of Mack Abraham Representative District 35, were then read by Tom Stagg.

Visiting Delegate Max Tobias, Representative District 1 appointee, then inquired as to the validity of the oath taken by the delegates to the constitutional convention. A motion was then made by Wendall Gauthier that the chairman be contacted in regard to investigating the validity of said oath. Whereon said motion was duly seconded and carried.

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Gordon Kean then moved, as duly seconded by Tom Velazquez, that the GSB suggested rules of procedure be read as a final item

the Temporary Rules Committee. Motion carried.

It was then decided that the Temporary Rules Committee would proceed with the discussion of said rules in chapters, in accord with first chapters set forth in the GSRI Study Guide.

#### Chapter 1 - General Provisions

Rule no. 1 Call to Order. Motion of Gordon Kean duly seconded to make technical amendment changing the word "presiding officer" to "chairman" and delete the second paragraph as provided by said study guide. Motion carried.

Rule no. 2 Quorum. Motion of Gordon Kean duly seconded to intitle rule 2 - Quorum. Motion to adopt as amended carried.

Rule no. 3 Roll Call. Motion of Tom Velazquez, duly seconded to accept Arkansas Rule 11. Motion carried.

Rule no. 4 Quorum Calls. Motion of Jasper Smith duly seconded by Tom Velazquez to delete portion of rule whereby chairman could request delegate for neglect of duty and change language whereby delegate would be brought "to the floor of the convention" as opposed to "before the members of the convention." Motion carried.

Rule no. 5 Absence from Convention Service. Motion of Joe Guarisco to add the language of said rule "a majority amendment may prescribe penalties for the nonattendance of members" motion duly seconded by Donald Kelly, discussion entertained. Motion carried 8 to 7 votes.

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Rule no. 6 Absent Delegates. Motion of Harmon Drew duly seconded by Gordon Kean to change "the majority of the delegates" to "chairman" motion carried, rule adopted as amended.

Rule no. 7 Expense of Compelling Attendance. Motion of Chalin Perez duly seconded by Tom Velazquez carried to adopt rule as written. Motion carried.

#### ADMISSION TO FLOOR

Rule no. 8 Persons Admitted. Motion of Autley Newton to add the words, "may remain on the floor" and insert "I." Representatives of the news media shall be admitted to the floor as provided by rule 11." Motion duly seconded and carried, rule adopted as amended.

Rule no. 9 Restrictions on the Convention Floor. Motion of Autley Newton to make technical amendment of changing "in area of deliberation" to "on the convention floor." Motion duly seconded and carried.

Rule no. 10 Special Permission. Motion of Tom Velazquez to make technical amendment of changing "presiding officer" to "chairman." Motion duly seconded, rule adopted as amended.

Rule no. 11 News Media. Motion of Autley Newton to change "in the convention chamber" to "in the convention hall" and to delete the word "formal." Motion duly seconded by Joe Conino. Motion to adopt as amended carried.

Rule no. 12 Administration of Rules. Mr. Staggs relinquished chairmanship to Mr. Kean in order to make motion to amend whereby administration of rules would be provided for by the "rules com-

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mittee" as opposed to the "chairman." Motion failed. Motion of Tom Velazquez to accept rule as written, duly seconded and carried.

Rule no. 13 Regulation of Convention Area. Motion of Pat Juneau duly seconded to change: "presiding officer of the convention" to "chairman" and to change the word "capitol" to "convention hall." Motion duly seconded, rule adopted as amended.

Rule no. 14 Restrictions of Non-Delegates. Motion of Autley Newton to change "within the doors of the convention chamber" to "the convention floor." Motion duly seconded and carried.

Rule no. 15 Open Meetings. Motion of Chalin Perez to insert Rule 15 entitled "Open Meetings", duly seconded by Tom Velazquez. Carried.

The Temporary Rules Committee then held informal discussion on the manner in which visiting delegates would be allowed to assert their views to the committee. It was duly moved by Gordon Kean and seconded by Chalin Perez that the visiting delegates would be given three minutes for comments at the beginning of each chapter and a total of ten minutes would be allowed for open discussion by visiting delegates. Motion carried.

The committee then moved to chapter three entitled "Delegates Whereon" the floor was open for discussion of said chapter by visiting delegates.

Mr. Gordon Flory first discussed rule no. 30 entitled "Limits on Debate." Mr. Flory suggested that a delegate be allowed to speak only once on a question and for not more than fifteen minutes. He then discussed rule no. 33 entitled "Answering Roll Calls" stating that delegates should be allowed to vote as long as they

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were present on the convention floor and there was no need that said delegate be at his desk.

Mrs. George Warren then discussed rule no. 28 "Recognition in Debate." Mrs. Warren questioned the fact that a delegate could not speak until recognized and it was often difficult to obtain recognition. It was pointed out that the delegate would be allowed to speak on a point by calling for a point of personal privilege.

Cris Roy then addressed the committee on rule no. 35 "Vacancy." Mr. Roy suggested that said rule be amended in order to provide for instances of illness.

Discussion of visiting delegates was then closed, whereon the committee went back into session.

Rule no. 27 Delegates' Oath. Gordon Kean moved to delete the oath as given by GSRI Study Guide. Said motion was duly seconded by Jasper Smith and the rule was adopted as amended.

Rule no. 28 Recognition in Debate. Motion of Greg Arnette to make technical change of "Mr. Chairman" to "the Chairman" motion duly seconded by Lance Womack. Rule adopted as amended.

Rule no. 29 Transgression of Rules. Chalin Perez moved to make technical amendment of deleting the word "him" and changing it to "the delegate." Motion duly seconded and rule adopted as amended.

Rule no. 30 Limits on Debate. Motion of Gordon Fearn to add the language "either the delegate and/or his designees shall be permitted to speak in reply but not until every delegate choosing to speak shall have spoken, except where the previous question has been ordered. The time for reply shall not exceed a total

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of fifteen minutes." Motion duly seconded by Lance Womack, rule adopted as amended.

Rule no. 31 Prohibited Behavior. Motion of Stan Duval to make technical amendment of changing the word "hall" to "floor" and the word "members" to "delegates." Motion duly seconded by Donald Kelly; rule adopted as amended.

Rule no. 32 Questions of Order. Motion of Jasper Smith duly seconded to change "C" Chairman to "c" chairman and that the word "presiding officer" be changed to "chairman." Motion carried.

Rule no. 33 Answering Roll Calls. Motion of Jasper Smith to make technical amendment of changing the word "hall" to "floor." Motion duly seconded, rule adopted as amended.

Rule no. 34 Absence from Daily Session. Motion of Greg Arnette duly seconded by Lawrence Sandoz to make technical amendment of changing "C" of Chairman to "c" chairman. Motion carried.

Rule no. 35 Vacancies. Motion of Gordon Kean to delete rule no. 33 "Vacancies of the GSRI Study Guide" was duly seconded and carried. Motion of Lance Womack duly seconded by Jasper Smith to insert new rule no. 35 entitled "Vacancies" as follows: "by a vote of at least two-thirds of the delegates to the convention, the seat of a delegate may be declared vacant by the convention if the delegate has been absent for at least fifteen unexcused, consecutive, opening roll calls. In the event of death, or written resignation by a delegate, the seat may be immediately declared vacant by the Chairman. The Chairman may notify the governor of any vacancy."

Rule no. 36 Voting in Person. Motion of Harmon Drew duly

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seconded by Chalin Perez to add rule 36 "Voting in Person" which shall read as follows: "No person, other than the delegate himself will be permitted to vote or to answer any roll call or quorum call." Motion carried.

On recommendation of the chairman, Tom Staggs, a one hour recess for lunch was then called.

After the noon recess, Tom Staggs, chairman, recalled the committee to order.

Chapter 4 "Proposals" was then opened for discussion. Visiting delegates were invited to comment on the said chapter.

Louis "Woody" Jenkins addressed the committee on rule 37 entitled "Proposals" and suggested that there be a depletion of the words "amendments or provision." It was further discussed that rule no. 44 entitled "Order of Processing" should provide that at least five copies of any proposal be made.

Rule no. 36 entitled "Amendments" was discussed and it was suggested that a copy of such amendments be distributed to each delegate.

#### CHAPTER 4. "PROPOSALS"

Rule no. 37 Proposal. Gordon Kean made a motion that rule no. 25 of the GSRI Study Guide be depleted and a substitute rule be inserted. Said motion was then seconded and carried. It was then moved by Gordon Kean that rule no. 37 read as follows: An original suggestion, proposal or draft intended to be part of the Constitution shall be referred to as a proposal. A proposal introduced by Delegates shall be designated as a Delegate Proposal and a proposal submitted by a committee shall be designated as a Com-

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mittee Proposal. An amendment shall be designated as an amendment. Said motion was duly seconded and rule no. 37 adopted.

Rule no. 38 Resolutions. It was then moved and seconded that a new rule no. 38 entitled "Resolutions" be adopted.

Rule no. 39 Introduction. As moved by Jasper Smith and duly seconded by Tom Velazquez rule no. 26 of the GSRI Study Guide was adopted. Motion carried.

Rule no. 40 Introduction of Committee Proposal. It was moved by Gordon Kean and duly seconded by Pat Juneau that rule no. 40 read as follows: "Committee proposals prepared and approved by several committees of the convention prior to July 5, 1973, shall constitute the first proposals to be introduced to the convention and shall be introduced by the chairman of each committee or his designee."

Rule no. 41 Form of Proposals. With leave of the committee David Poynter was requested to draw up a form for rule no. 41 and submit said form to the committee for approval.

Rule no. 42 Deadline on Proposals. By a motion of Gordon Kean duly seconded by Lance Womack that rule no. 29 of the GSRI Study Guide be adopted with addition of the last sentence "amendments to proposals may be offered at any time." Motion carried, rule adopted as amended.

Rule no. 43 Printing. Motion of Stan Duval duly seconded by Autley Newton that "for consideration. Printing and extra copies for distribution to be depleted and that the language be added as follows: "and shall be available to the general public and other interested parties." In addition that the following language be added: "no formal action may be taken on any proposals until

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printed copies have been distributed to the delegates for at least forty-eight hours." Motion carried, rule no. 41 adopted as amended.

Rule no. 44 Order of Processing. With leave of the committee David Poynter was asked to comment on said rule wherein a proposed draft of said rule was to be submitted to the committee for adoption. On motion of Jasper Smith duly seconded by Lawrence Sandoz the proposed draft and rule no. 44 was adopted as amended.

Rule no. 45 Order of Proposals. On motion of Jasper Smith duly seconded by Gordon Kean rule no. 45 entitled "Order of Proposals" was added to said rules.

Rule no. 46 Amendments. Motion of Gordon Kean to delete rule no. 35 of the GSRI Study Guide and that rule no. 46 entitled "Amendments" be ruled as follows: Amendments shall be submitted in writing and a copy of such amendments shall be distributed to each delegate before a vote occurs thereon. Motion for adoption was duly seconded by Autley Newton and the rule was adopted as amended.

Rule no. 47 Style and Drafting. Motion of Stan Duval to add the words "to the convention" at the end of said rule. Motion for adoption is duly seconded by Gordon Kean. Carried.

Rule no. 48 Distribution. Rule no. 48 entitled "Distribution" on motion of Harmon Drew duly seconded by Donald Kelly was added to the proposed rules and was adopted.

Chairman, Tom Stagg, then called a brief recess. During said recess each member was given a study guide on previous constitutional conventions to study and report back to said committee. The assignments were as follows:

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Joe Conino - Alaska  
Jasper Smith - Arkansas  
Joe Guarisco - Conn.  
Lawrence Sandoz - Hawaii  
Pat Juneau - Maryland  
Stan Duval - Michigan  
Lynn Perkins - Missouri  
Lance Womack - New Hampshire  
Autley Newton - New Jersey  
Harmon Drew - New Mexico  
Tom Stagg - New York  
Greg Arnette - Penn.  
Chalin Perez - Rh. Island  
Donald Kelly - Tenn.  
Gordon Kean - Illinois  
Wendall Gauthier - Montana

After a brief recess the committee was then called to order by Tom Stagg, chairman. Visiting delegates were invited to make comments on Chapter 6 of the GSRI Study Guide entitled "Transactions of Business."

Louis "Woody" Jenkins suggested that rather than allowing oral explanation of votes that the delegates should be allowed to submit explanation in writing. Mr. Jenkins was further in favor of leaving out GSRI rule no. 70 entitled "Notice." It was further suggested that Masons Manual be used on questions of parliamentary practice when the rules were silent or inexplicit as opposed to the use of Robert's Rules of Order.

Earl Schmitt then addressed the committee requesting that a two-thirds vote be necessary for a call to the previous question and further requested that the committee look into the possibility of conducting a seminar on the proposed rules and/or Masons Rules of Order.

With leave of the committee Mr. Tom Stagg, chairman, called on David Poynter to discuss the daily order of business with the committee. Mr. Poynter then obliged the committee by answering

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questions relative thereto.

Rule no. 66 Order. It was moved by Gordon Kean and duly

seconded by Jasper Smith that rule no. 66, as suggested by Mr. David Poynter be adopted. Motion carried.

Rule no. 67. It was moved by Lance Womack and duly seconded by Gordon Kean that the words "rigidly and unanimous" be stricken from said rule and that the words "by majority vote of the delegates" be added. The rule was adopted as amended.

Rule no. 68 Time of Committee Referral. It was moved by Jasper Smith and duly seconded by Stan Duval that rule no. 53 of the GSRI Guide be adopted without amendment. Motion carried.

Rule no. 69 Privileged Motions. There was substantial discussion of rule no. 69 whereon chairman, Tom Stagg, recommended that a report of the studies of the rules of other constitutional conventions be reviewed in order that an order of preference might be determined. Several substitute motions were submitted to the convention for consideration whereon with leave of the committee David Poynter was requested to comment. Motion of Gordon Kean to adopt said order and additional language was duly seconded by Joe Conino and the rule as amended was adopted.

Rule no. 70 Motions Not Debatable. It was moved by Gordon Kean, duly seconded by Wendall Gauthier that Illinois rule no. 40, on page 228 replace GSRI rule no. 55. Motion carried.

It was moved by Jasper Smith duly seconded by Tom Velazquez that rule no. 56 of the GSRI Study Guide be adopted without amendment. Motion carried.

Rule no. 72 Format of Motions and Seconds. Motion of Jasper

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Smith to adopt as written, was duly seconded, but failed. Motion of Stan Duval to amend Section A to insert the following language: "No motion listing rule no. 69 need be in writing. Where a motion is in writing the delegate shall attach his or her name thereto before it is received by the chairman or read by the secretary, or before it is debated, if debate is in order. Chalin Perez seconded said motion and rule no. 72 was adopted as amended.

Rule no. 73 Motion for Consideration. It was made by Jasper Smith that Section A of GSRI Study Guide rule 58 be adopted. Motion carried. It was moved by Gordon Kean duly seconded that Section B of rule no. 58 be adopted. Motion carried. It was moved by Stan Duval and duly seconded that Section C of GSRI Guide rule no. 58 be adopted. Motion carried.

Rule no. 74 Motion to Call from the Table. Motion of Gordon Kean that the following language be added as rule no. 74. "A motion which has been laid on the table shall be called from the table only by the affirmative vote of two-thirds of the delegates from the convention." Motion duly seconded and carried.

Rule no. 75 Division of a Question. Motion of Gordon Kean to substitute Illinois rule 43 for GSRI Guide rule no. 59. Motion is duly seconded by Stan Duval, carried with additional language of "the limits on the debate as set forth in rule no. 30 of these rules shall apply to the debate on each division of the question."

Rule no. 76 Previous Question. With leave of the committee it was requested that David Poynter prepare said motion. Upon discussion of the committee with Mr. Poynter, Gordon Kean moved

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for the adoption of house rule no. 43 as duly seconded by Stan Duval. Motion carried.

Rule no. 77 Adjournment and Recess. Motion of Greg Arnette that the word "main" occurring before the word "question" be deleted. Motion as duly seconded by Gordon Kean carried and the rule was adopted as amended.

#### YEAS AND NAYS

Rule no. 78 Voting After Decision is Announced. Was moved by Stan Duval that the technical amendment be made of changing the word "chair" to "chairman" and that language be added as follows: "The names of the absentees and all calls of the nays and yeas shall be placed on a separate list." Rule as amended was adopted.

Rule no. 79 Explanation of Vote. Motion of Jasper Smith that the language "to be in writing" added to rule no. 63 of the GSRI Study Guide. Motion carried. In addition, motion of Gordon Kean to amend said rule to read as follows: "No delegate shall be permitted to explain his or her vote except as hereinafter provided. Any delegate may explain his other vote in writing or reasons for not voting in writing and request that such explanation be made upon the records." Motion is duly seconded, carried. Rule adopted as amended.

Rule no. 80 Tie Votes. Motion of Autley Newton to accept rule as written, duly seconded by Wendall Gauthier, motion carried.

Rule no. 81 Recording the Vote. Motion of Chalin Perez to accept the rule as written. Rule no. 66 of the GSRI Study Guide was duly seconded by Tom Velazquez. Motion carried.

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#### SPECIAL ORDERS

Rule no. 82 Consent. Motion of Chalin Perez duly seconded to change the word "ordinance" of rule 67 of the GSRI Guide to "proposal" and the word "member" changed to "delegate." Rule adopted as amended.

Rule no. 83 Presidents. Rule no. 83 was adopted as per rule no. 69 of the GSRI Guide as moved by Autley Newton, duly seconded by Stan Duval.

Rule no. 84 Changes in Rules. It was moved by Wendall Gauthier that the language read as follows: "Any standing rule of the convention may be re-vised, altered, or amended in the following manner: Members shall be given in writing of the motion thereof, which motion shall be referred immediately to the small seat chairman to the committee on rules, which shall file his report with the convention within 24 hours within the receipt of the motion. Two days after the filing of the proposed change, the motion shall be considered by the convention with or without the report of the committee on the rules, and for the passage shall require a vote of the majority of the delegates to the convention. Motion duly seconded by Gordon Kean, motion carried, rule adopted as amended.

Rule no. 85 Suspension of the Rules. It was duly moved by Gordon Kean as seconded by Autley Newton that additional language should be added to rule no. 85 entitled "Suspension of the Rules." After substantial discussion, said rule was adopted as follows:

One or more rules may be suspended for a specified purpose by an affirmative of two-thirds vote of the delegates present, voting, or a majority of delegates to the convention whichever constitutes the lesser number.

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The committee then ended discussion and the meeting was adjourned. The committee adjourned at \_\_\_\_\_ time until Sunday, January 7, 1973 at 1 o'clock p.m.

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The Temporary Rules Committee of the Louisiana Constitutional Convention met on Sunday, January 7, 1973, at the Prince Murat Inn. The chairman, Tom Staggs, presided and called the meeting to order at 1 o'clock p.m. At the opening of said meeting each delegate was called on to report on the provisions for rules in the respective constitutions given them for study. It was then moved and seconded, motion passed, that reconsideration would be made on several rules previously under discussion.

Rule no. 86 Consideration of Proposals Without Committee Recommendation. It was moved by Chalin Perez and duly seconded that rule no. 86 entitled "Consideration of Proposals Without Committee Recommendation" be added and that the language of said rule be as follows: "after one day's notice of the convention on motion by the affirmative vote of the majority of the delegates present and voting, may require a committee to return, with or without a recommendation, if the proposal was referred to the committee.

Rule no. 87 Notice. Substantial discussion was held on the adoption of rule no. 70 entitled "Notice", it was then ruled by Donald Kelly duly seconded by Wendall Gauthier that the rule be submitted as amended.

Rule no. 88 Authority. It was moved by Gordon Kean and duly seconded that Robert's Rules of Order be adopted as authority where the permanent rules of the constitutional convention were not applicable. Motion failed. It was then moved by Wendall Gauthier, duly seconded by Tom Velazquez that Mason's Manual on Legislative Procedure be used as authority where the rules are silent or inexplicit. Motion carried. Rule no. 71 of the GSRI

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as amended was adopted.

The delegates then went into informal session whereby discussion was held on rules previously adopted in order to clear up any misleading language, or to make appropriate changes.

The committee then moved to GSRI Rules Charter no. 5 entitled "Committees." The floor was open for comments and or discussion of visiting delegates.

Dr. Emmett Asseff addressed the group with concern for scheduled meetings, paying of mileage, and the selection of committees by congressional districts.

Johnny Jackson then recommended to the committee that represent

tation be made inclusive of minorities and women.

Mary Zervignon then recommended that the chairman of respective committees be elected from their committees. In addition that the factors of desire and residence be considered upon committee assignments. Mrs. Zervignon also discussed that committees should be allowed to discuss in private but all votes should be open and public.

Woody Jenkins expressed concern to the committee in regard to standing committees and that the members should be allowed to exchange committee assignments if agreeable to delegates involved in said exchange. Each delegate except for the chairman and secretary should serve on one standing committee and the chairman and secretary should be ex-officio members of all committees thereof.

Terry Reeves by letter as read by Jasper Smith suggested that each committee elect its own officers.

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Dr. Gerald Weiss by letter as read by Greg Arnette suggested that an additional committee on Ethics, Communications, Health and Welfare.

Chairman Tom Staggs then turned the chair over to vice chairman Gordon Kean, in order that he might participate in the discussion before the committee.

Tom Staggs moved that there be eight substantive committees, and four procedural committees with proposed assigned duties to each. Said motion was duly seconded by Stan Duval and the floor was open for discussion. It was then moved and seconded, motion carried, that discussion be held on substantive committees prior to discussion of procedural committees. After extended discussion eight substantive committees were set forth and rule no. 49 entitled "Substantive Committees" was adopted.

Motion was then made by Tom Staggs that four procedural committees be designated. After substantial discussion the names and duties of said procedural committees were set forth and rule no. 50 as amended was adopted.

The committee then took a short recess. After the recess, the committee was called to order by vice chairman, Gordon Kean. Tom Staggs moved that the four procedural committees be established. A substitute motion was offered by Pat Juneau that a fifth procedural committee entitled "Coordinating Committee" be established. Said substitute motion was then withdrawn. Rule no. 50 was a motion to amend, rule no. 50 was then submitted by Autley Newton in order that the committee on Legislative Transition and Transitional Measures be set forth. The motion carried.

Rule no. 51 Appointment of Committee. It was moved by Gordon

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Kean and duly seconded that the Temporary Rules Committee proceed to Chapter 2 entitled "Officers" and return to the topic presently under discussion at a later date. Motion carried.

The committee then converted discussion to Chapter 2,

entitled "Officers, Employees, and Duties."

The floor was open for discussion of visiting delegates on Chapter 2 entitled "Officers, Employees, and Duties."

Louis "Woody" Jenkins appeared before the group to discuss the duties of the secretary of the constitutional convention. Mr. Jenkins suggested that the secretary have the duties of the following: publish daily journal verbatim with record, keeping committee meeting minutes, meeting all proposals, roll calls, etc., purchasing and renting necessary equipment, supervising the chief clerk when the convention was assembled, serving as a member of the executive committee, serving as ex-officio member of all committees.

Delegate Monday Lowe suggested to the committee that the rules provide for a treasurer. In most conventions the treasurer has not been provided for; however, it is suggested that said position is a necessary position in order to appropriately report on the finances of the convention. The treasurer of the convention may or may not have a seat on the executive committee.

Gary O'Niell recommended to the committee that the rules provide for a secretary and a treasurer. He further suggested that the convention have at least one vice-chairman and at most two vice-chairmen. The executive committee should be composed of two per congressional district plus the officers.

Terry Reeves submitted in writing as read by Jasper Smith

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the proposals that the positions of parliamentarian, historian, and door keeper were not needed. Further suggested that the executive committee be composed of the officers along with two representatives per congressional district.

Mrs. Ruth Miller submitted in writing as read by Greg Arnette that the rules provide for four vice-chairmen. One position was to be based on race, another on sex, and two members or two vice-chairmen at large.

Mack Abraham submitted in writing that the executive committee should be composed of officers and a representative per congressional district. Tom Staggs proposed the executive committee be composed of a chairman, four vice-chairmen, one representative per congressional district, sub-chairman and \_\_\_\_\_, substantive committee chairman and procedural committee chairman. A general discussion was then held within the committee. The chairman then called for a one hour recess for supper.

At eight o'clock p.m. the committee was again called into session and chairman, Tom Staggs, presided and called the meeting to order.

The committee then reverted back to the original earlier discussion on Chapter 5 entitled "Committees."

Rule no. 51 Appointment of Committees. A motion was submitted by Wendall Gauthier as duly seconded by Pat Juneau that rule no. 51 be as follows:

The selection of delegates to serve on a substantive and procedural committee shall be determined as follows:

Within twenty-four hours after the adoption of these rules by the convention, each delegate shall submit in writing to the

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convention the committee is committed in order of preference to which he or she desires to be appointed.

A committee of delegates shall select from among said delegates the delegates to serve on each committee after giving due consideration to the preference of each committee and based on qualifications, experience and residence of each delegate, so as to provide as nearly as possible a fair and balanced representation on each committee of this convention. Motion carried.

Rule no. 52 Committee on Committees. Rule no. 52 as written was adopted.

Rule no. 53 Service on Committees. It was moved by Autley Newton and duly seconded by Pat Juneau that rule no. 53 reads as follows: quote the rule from the book!

Rule no. 54 Coordinating Committee. Rule no. 54 entitled "Coordinating Committee" was established on motion of Pat Juneau, duly seconded by Greg Arnette. Center of the discussion was held on said rule wherein the motion for adoption as amended carried.

Rule no. 55 Other Committees. It was moved by Chalin Perez, duly seconded by Gordon Kean that rule no. 55 be adopted as amended

Rule no. 56 Proposals. After considerable discussion it was moved by Harmon Drew, duly seconded by Donald Kelly, that rule no. 56 be adopted as written.

#### COMMITTEE MEETINGS AND HEARINGS

Rule no. 57 Quorum and Rules of Committee. It was moved by Anthony J. Guarisco, duly seconded by Pat Juneau that the Illinois

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rule no. 19 found on GSRI Guide page 146 be adopted with the technical amendment of striking the word "standing." Motion carried.

Rule no. 58(A) Public Hearing, Records. By a motion of Gordon Kean to amend GSRI Rule no. 46 by adding the language on line 2 "or of the committee as a whole without special leave of the majority of the convention delegates present and voting." Along with deleting the language "in a recorded verbatim, including the testimony of those wishing to be heard," and replacing said language with "Minutes of committee meeting shall be recorded." All committees shall, and are hereby authorized to, hold public hearings, either as a committee or through a designated subcommittee, such hearings to be conducted at such localities throughout the state as the committee may designate." Motion carried.

(B) Appearance of Delegates. Motion of Chalin Perez to delete the language of GSRI rule no. 46(B), was duly seconded and carried. Thereon GSRI, the language of GSRI rule no. 46(C) was amended by a motion of Gordon Kean, duly seconded by Greg Arnette. Motion carried.

Rule no. 59 Calling of Committee and Agenda. On motion of Jasper Smith, duly seconded by Joe Conino rule no. 47 of GSRI report was stricken. It was moved by Gordon Kean and duly seconded that Illinois rule no. 20, found on page 167, of the

GSRI Guide be adopted as amended. Motion carried.

Rule no. 60 Reports. Motion of Gordon Kean duly seconded by Stan Duval that GSRI Guide rule no. 49 be adopted as amended by the technical amendment of substituting the word "substantive"

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Prior to the word "committee" rather than the language of "standing." Motion carried.

Rule no. 61 Form of Report. It was moved by Stan Duval, duly seconded that David Pointer be authorized to prepare a form for reports in view of the guidelines set forth in the Motion on rule no. 38, as set forth in GSRI Guide page 142. Motion carried.

Rule no. 62 Notice of Committee Meeting. Motion of Stan Duval, duly seconded that Illinois rule no. 49 be amended by deleting the language "any three members of a committee" and adding the language "one-third of the members of a committee" be adopted as rule no. 62.

Illinois rule no. 20, found on GSRI Guide page 167, was adopted as amended.

Rule no. 63 Subcommittee. Motion of Patrick Juneau duly seconded by Wendall Gauthier to adopt Illinois rule no. 49, page 148 of the GSRI Guide as Louisiana rule no. 49. Motion carried.

Rule no. 64 Records. Motion of Gordon Kean, duly seconded that rule no. 74 be added to read as follows: "All reports and reports of the committees of the convention shall be subject to provisions of the public record act." Motion carried.

#### COMMITTEE OF THE WHOLE

Rule no. 65 Procedure. With leave of the committee Mr. David Pointer was requested to present on the committee report which due to legislative experience with the procedure and in

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(A) Motion of Gordon Kean, duly seconded to amend the language of GSRI rule no. 74. After considerable discussion, motion carried.

(B) Motion of Chalin Perez the word "minutes" be deleted and replaced with the word "secretary." Motion to amend rule no. 65 as amended, GSRI rule no. 74. Motion carried. Motion of Gordon Kean duly seconded to amend the language of rule no. 65. Motion carried. Motion of Stan Duval to strike the language of GSRI rule no. 75, duly seconded by Stan Duval, motion carried. Motion to amend the GSRI rule no. 65 Committee on Committees, duly seconded by Stan Duval, motion carried. Motion to amend rule no. 65, duly seconded by Stan Duval, motion carried.

#### FINALS

Rule no. 66 Convention Issues. Motion of Jasper Smith, duly seconded by Stan Duval to amend GSRI rule no. 19, page 146 of the GSRI Guide. Amendment to rule no. 19, page 146, GSRI Guide, to provide for a first vice-chairman and first vice-secretary. Motion carried.

In open discussion of the committee it was moved by Stan Duval, duly seconded by Greg Arnette that the rules provide for the office of secretary. Motion carried. Motion of Gordon Kean, duly seconded to deplete the positions of "Parliamentarian, Historian, and add the position of treasurer. Motion carried.

It was then moved by Gordon Kean, duly seconded by Autley Newton that GSRI rule no. 13 as amended be adopted as Louisiana rule no. 16. Motion carried.

#### EMPLOYEES

Rule no. 17 Convention Employees. Motion of Wendall Gauthier,

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duly seconded by Greg Arnette to deplete the words "executive committee" and replace it with the word "Chairman." Motion carried. (B) Motion to adopt GSRI rule no. 14, Section (A) as amended and Section (B) as written. Motion carried.

#### EXECUTIVE COMMITTEE

Rule no. 18 Duties. (A) Motion to add the following language to GSRI Guide rule no. 15: "The executive committee shall be a committee on administration, which shall consider research materials and personnel, convention budget and finance, and other administrative details, facilities and fiscal arrangements for the convention, for committee hearings and for the staff, outside grants and assistants to the convention, purchases and rental of equipment, supplies and services, printing and related matters." Section (A) Motion that Section (A) be adopted as amended. Motion carried. (B) Motion by Chalin Perez to deplete the language of GSRI Guide rule no. 15(B). Motion carried. Motion of Greg Arnette, duly seconded to deplete the language of GSRI Guide rule no. 15(C). Motion carried. Motion of Autley Newton, duly seconded that Section (D) of GSRI Guide rule no. 15 be recaptured as Louisiana rule no. 18, Section (B). Motion carried. (C) Motion, duly seconded by GSRI Section (E) be recaptured by Louisiana Section (C). Motion carried. (F) Motion, duly seconded that GSRI Guide rule no. 15(F) be recaptured to read as Louisiana rule no. 18, Section (D). Motion carried.

It was then moved and seconded that the committee recess until Monday, January 8, 1973, at 8:30 a.m. Motion carried.

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Louisiana Constitutional Convention - Temporary Rules Committee - Minutes, Monday, January 8, 1973.

The Louisiana Constitutional Convention met on Monday, January 8, 1973, at the Prince Murat Inn.

The Chairman, Tom Staggs, presided and called the meeting to order at 8:30 a.m. A quorum was present.

The Temporary Rules Committee continued discussion of Chapter 2 entitled "Officers, Employees, and Duties."

#### THE CHAIRMAN

Rule no. 19 Duties. Motion of Gordon Kean, duly seconded to

add language as follows to GSRI rule no. 16: "The presiding officer and the chief executive of the convention, and as such, chairman of the executive committee." Motion carried. Motion of Tom Velazquez, duly seconded to deplete the language "except at the session presided over by the first and second vice-chairman" and the language "exercised the usual powers and perform the usual duties of the presiding officer." Motion carried. Motion of Anthony J. Guarisco, duly seconded to adopt GSRI Study Guide rule no. 16(B) as written. Motion carried. The motion of Tom Velazquez, duly seconded to adopt GSRI Guide rule no. 16(C) as written. Motion carried. (D) Motion of Greg Arnette, duly seconded to adopt GSRI Guide rule no. 16(D) as written. Motion carried. (E) Motion of Joe Conino, duly seconded carried to deplete GSRI Guide rule no. 16(E). Motion carried. Motion of Gordon Kean, duly seconded to add the language of Louisiana rule no. 19(E) as follows: "Designate the first vice-chairman to preside in his absence and establish the order of the vice-chairman to preside in the absence of both the chairman and the first

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vice-chairman." Motion carried. (F) Motion of Joe Guarisco, duly seconded to adopt GSRI Guide rule no. 16(G) upon adding language "on each occasion." Motion carried. (G) Motion of Gordon Kean to deplete the language of GSRI Guide rule no. 16(H) "using an alphabetical order of seating" and add the language "according to congressional districts." Motion carried. (H) Motion of Gordon Kean, duly seconded to add language of Louisiana rule no. 19(H) as follows: "At the request of at least twenty-seven delegates, a recorded yea and nay vote shall be recorded by the chairman." (I) Motion of Greg Arnette, duly seconded to delete the language of GSRI Guide rule no. 16(J). Motion Carried. Motion of Tom Velazquez, duly seconded to adopt the language of GSRI rule no. 16(K). Motion carried. (J) Motion of Gordon Kean to deplete the language of GSRI Guide rule no. 16(L) "examine and add the language" make corrections of and to "deplete the language and make corrections" and the "the" and add the language "an alternative." Motion to adopt rule as amended. Motion carried. (K) Motion of Gordon Kean to adopt GSRI Guide rule no. 16(M) as written. Motion carried. (L) Motion of Autley Newton to deplete the language of GSRI Guide rule no. 16(N) and add the following language: "Not engaged in debate when sitting in as chairman, nor shall he vote on appeals from his rulings." Motion carried. (M) Motion of Gordon Kean, duly seconded to adopt GSRI Guide rule no. 16(O) as written. Motion carried. (N) Motion of Lawrence Sandoz, duly seconded to deplete the language "from the state treasury" from GSRI Guide rule no. 16(P) and add the language and slice (R). Motion carried. (O) Motion of Gordon Kean, duly seconded by Jasper

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Smith to deplete the language of GSRI Guide rule no. 16(Q) "serve as the chief executive officer." Motion carried. (P) Motion of Gordon Kean, duly seconded to add the language of



Illinois rule no. 16 found on page 166 of GSRI Study Guide.  
Motion carried.

#### FIRST VICE-CHAIRMAN

Rule no. 20 Duties. Motion of Gordon Kean, duly seconded to deplete the language of GSRI Guide rule no. 17 as follows: "and second, serve as vice-chairman of the convention, and as such, shall." Motion carried. (A) Motion of Gordon Kean, duly seconded by Pat Juneau to deplete the language "in alternating order" of GSRI Guide rule no. 17 and add the language "or in absence or inability of the Chairman to serve." Motion carried. (B) Motion of Gordon Kean, duly seconded to deplete the language of the GSRI Study Guide rule no. 17(B). Motion carried. Motion of Pat Juneau, duly seconded to initial GSRI Guide rule no. 17(C) to Louisiana rule 20(B) and add the language "and carry out such other duties as are assigned to the Chairman." Motion carried. (C) Motion to add the language "serve as an ex officio member of the committee on Rules, Credentials, Ethics, and Schedules, but shall have no vote and shall not be counted for the purpose of obtaining a quorum." Motion carried.

#### VICE-CHAIRMAN

Rule no. 21 Duties. Motion to divide the duties of the co-vice-chairmen as set forth in Sections A, B, and C of Louisiana rule no. 21. Motion carried.

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#### SECRETARY

Rule no. 22 Duties. (A) Motion of Harmon Drew, duly seconded to adopt GSRI Guide rule no. 18 as written. Motion carried. (B) Motion of Harmon Drew, duly seconded to adopt language provided by Delegate Woody Jenkins as rule no. 22(B). "The floor was then opened for discussion of the pro's and con's of providing for an entire written record," motion carried. (C) The motion of Harmon Drew, duly seconded by Donald Kelly to adopt language provided by Delegate Woody Jenkins. Motion carried. (D) The motion of Harmon Drew, duly seconded by Greg Arnette to adopt language provided by Delegate Woody Jenkins as amended. Motion carried. (E) Motion of Harmon Drew, duly seconded by Stan Duval to adopt language as provided by Delegate Woody Jenkins. Motion carried. There was inquiry as to the division of duties between the chief clerk and the secretary. (F) Motion of Gordon Kean, duly seconded to adopt language or provision (F) as provided by Delegate Woody Jenkins. Motion carried. (G) Motion of Harmon Drew, duly seconded to adopt language as provided by Delegate Woody Jenkins, motion carried. (H) Motion of Harmon Drew, duly seconded to adopt language as provided by Delegate Woody Jenkins, motion carried. (I) Motion of Harmon Drew, duly seconded to adopt the language as provided by Delegate Woody Jenkins in provision (H). Motion carried. (J) Motion of Harmon Drew, duly seconded by Joe Conino to deplete language as provided by Delegate Woody Jenkins, Sections I, J, and K. Motion carried. Motion of Harmon Drew, duly seconded to adopt the language provided by

Delegate Woody Jenkins in Section (H). Motion carried. (K) Motion by Gordon Kean, duly seconded by Autley Newton to deplete the language provided by Delegate Woody Jenkins in Section (H).

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Motion carried.

The floor was then opened to discussion as to the requirements and guidelines to Section 6 in reference compensation of the secretary. The committee interpreted said provision to provide that the secretary would be paid only per diem expenses. Chairman, Tom Stagg suggested that this question might be addressed to the legislature. Motion of Gordon Kean that the Temporary Rules Committee address this inquiry to Attorney General Guste in order that he might advise the committee on the legal issue of compensation to delegate officers. The substitute motion was offered by Lance Womack to address to Attorney General Guste the inquiry as to per diem being received by delegates already receiving state salaries. A substitute motion offered by Lance Womack that the chairman of the Temporary Rules Committee make a personal visit to the Attorney General's Office. After considerable discussion as to the authority of the Temporary Rules Committee to take of this course of action it was moved by Chalin Perez that the aforesaid motion be tabled. The motion was duly seconded by Wendall Gauthier and carried after the vote of the chairman Tom Stagg which broke the committee tie vote.

There was then a motion by Wendall Gauthier to reconsider rule no. 22, Section (B). Motion was duly seconded and the floor open for discussion. David Poynter advised the committee to get a cost estimate for keeping a verbatim record of the proceedings. Motion of Gordon Kean, duly seconded to maintain provision in Section (B) of rule no. 22 to keep a verbatim written record. Motion carried.

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#### TREASURER

Rule no. 24 Duties. Motion of Gordon Kean, duly seconded by Autley Newton to make provision for the office of treasurer. Motion carried.

#### CHIEF CLERK

Rule no. 25 Duties. Motion of Tom Velazquez, duly seconded to adopt GSRI Guide rule no. 20, §(A). Motion carried. (B) Motion of Autley Newton to remove the language of GSRI Study Guide rule no. 50(G) "The chief administrative officer, secretary to the convention whose duties he may assume at the discretion of the secretary." And that language be added as follows: "perform general administrative duties of the convention subject to the supervision of the chairman, and when he assumes the duties of secretary as provided in rule no. 22 he shall do so under the supervision of the secretary." Motion carries. (B) Motion of Gordon Kean, duly seconded to adopt GSRI Study Guide rule no. 20(C). Motion carried. (D) Motion of Joe Conino, duly seconded that section (D) be added to the Louisiana rule no. 25. Motion carried.

SERGEANT-AT-ARMS

Rule no. 26 Duties. Motion of Gordon Kean, duly seconded by Jasper Smith to adopt the language of GSRI Study Guide rule no. 21(A) with the technical amendment of changing the words "absent members" to "delegates." Motion carried. Motion of Gordon Kean, seconded by Jasper Smith that the language of Sections B, C, and D of GSRI Study Guide rule no. 21 be adopted as respective sections of Louisiana rule no. 26. Motion carried.

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Rule no. 26.1 Vacancies. Motion of Chalin Perez as duly seconded to adopt Illinois rule no. 11, page 62 of the GSRI Study Guide with appropriate technical amendments of changing the word "president" to "chairman." Motion carried.

Motion of Gordon Kean, duly seconded to delete GSRI Study Guide rules 22, 23, and 24. Motion carried.

A brief recess was then called whereon the committee went back into session for a reconsideration of those who were previously adopted.

After considerable discussion it was then moved and seconded that the committee recess until Friday, January 12, 1973. Mr. Tom Stagg, Chairman, informed the committee that notice would be on the bulletin board as to the appropriate meeting place for the Temporary Rules Committee.

Tom Stagg, Chairman, then appointed Gordon Kean and Lynn Perkins to serve on the committee for Style and Drafting of said proposed rules. The committee then recessed.

During the course of the general session of the Constitutional Convention the Temporary Rules Committee was called into session on two occasions. No minutes were kept of said meetings as they were called to discuss the specific provisions of the proposed rules before they were presented to the convention floor.

Respectfully,

Miss Lynn Perkins  
Temporary Rules Committee Secretary

Approved: \_\_\_\_\_  
Tom Stagg, Chairman

\_\_\_\_\_  
Gordon Kean, Vice-Chairman

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# B. Suggested Working Papers

## SUGGESTED WORKING PAPERS IN RULES OF PROCEDURE FOR THE 1973 LOUISIANA CONSTITUTIONAL CONVENTION

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## INTRODUCTION

The Suggested Working Papers for the 1973 Louisiana Constitutional Convention has been compiled by the Gulf South Research Institute (GSRI) as an aid to delegates to the 1973 Louisiana Constitutional Convention.

The Suggested Working Papers is divided into two parts. Part I is a study guide for rules, which is primarily an adaptation of the Rules of Order of the Louisiana Senate, as modified by constitutional conventions of seven other states (Arkansas, 1969; Hawaii, 1969; Illinois, 1969; Maryland, 1967; Michigan, 1963; New Mexico, 1968; Pennsylvania, 1967), and convention rules previously compiled in Louisiana Convention, 1921; Project, 1954; Act 100, 1968).

Part II of the Suggested Working Papers is a subject matter arrangement of comparative research sources.

It is hoped that this volume will be of assistance to delegates in their study and adoption of rules for the Convention.

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Rule No. 4, Absent Delegates. At any time the Convention is in session, whether upon first convening of the day's session or at any time after the hour has arrived to which the Convention stood adjourned, a majority of the delegates present, whether a quorum is present or not, are hereby authorized to send the Sergeant-at-Arms for any or

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(1) absent delegates, as the majority of such delegates present shall order.

Rule No. 5, Expense of Compelling Attendance. Any expenses incurred in compelling the presence of an absent delegate shall be paid by such delegate, unless such excuse of non-attendance has been made as a majority of a quorum shall judge sufficient, in which case the expense shall be paid out of the appropriated funds to the Convention.

#### Admission to Floor

Rule No. 6, Person Admitted. No person shall be admitted on the Convention's floor while the Convention is in session or during the period thirty minutes before the time set for the convening of the session or the period thirty minutes after the adjournment of the session, except that delegates, members of the Convention (including representatives of the news media shall be admitted to the floor whenever necessary for the transaction of Convention business). It is added, however, that written messages may be delivered from delegates to sergeant-at-arms from persons outside the restricted area of the chamber floor, for purposes of these rules, is defined as that area which is located within the chamber of the House of Representatives, inclusive of the gallery, or in lieu of these restrictions, that area of any facility is as defined by the membership of the Convention.

Rule No. 7, Restrictions in Area of Deliberation. One chair shall be placed for each delegate in the deliberative area of the Convention chamber, and no other chairs shall be permitted in this section.

Rule No. 8, Special Permission. Special permission to sit in the Chamber shall be granted by the presiding officer of the Convention to any person from any other States or of the United States or of any foreign country.

#### Part I A STUDY GUIDE FOR RULES

Chapter 1	General Provisions
Chapter 2	Officers, Employees, Duties
Chapter 3	Delegates
Chapter 4	Proposals
Chapter 5	Committees
Chapter 6	Transaction of Business
Chapter 7	Lobbyists

#### Part I, Chapter 1 A STUDY GUIDE FOR RULES: General Provisions

#### Part I, Chapter 1 A STUDY GUIDE FOR RULES: General Provisions

##### Quorum and Majority

Rule No. 1, Call to Order. The convention shall convene at such time as ordered on the preceding working day by a majority of the delegates and the presiding officer shall call the Convention to order at that time. If a quorum is in attendance he shall cause the journal of the preceding day to be read unless otherwise ordered by the Convention, to the end that any mistake may be corrected.

A quorum shall consist of a majority of the total membership of the Convention.

Rule No. 2, Quorum Called. A quorum call may be demanded by any delegate during any session of the Convention. When, upon such call, it is found that less than a quorum is present the Chairman shall order the doors of the Convention closed and direct the Secretary to call the roll of the Convention and to note the names of the absentees. After such roll call the names of the absentees shall again be called and those for whose absence no excuse, or an insufficient excuse, is made, may, by order of a majority of delegates present, be sent for and taken into custody by the Sergeant-at-Arms, or by his assistants appointed for the purpose, and brought before the bar of the Convention, where unless excused by a majority of the delegates present, they shall be reprimanded by the Chairman for neglect of duty.

Rule No. 3, Absence from Convention Service. No delegate shall absent himself from the service of the Convention without first obtaining leave of the Convention.

Rule No. 9, News Media. A designated place in the Convention chamber shall be provided for the news media, who shall have free access thereto. Accreditation of members of the press and of members of any news media for admission shall be administered by the Chairman. A member of the press or of any news media shall conduct any formal interview with a delegate on the Convention floor while the Convention is in session.

Rule No. 10, Administration of Rules. The Chairman of the Convention shall provide for the administration of the rules governing admission to the Convention as provided herein.

Rule No. 11, Regulation of Convention Area. The presiding officer of the Convention shall have the regulation and control of such parts of the Capitol and its passage or any other places of general assembly as are or may be set apart for the use of the Convention, its officers and employees.

Rule No. 12, Restrictions on Non-Delegates. No motion shall be deemed in order to admit any person not a delegate within the doors of the Convention chamber to present any petition, memorial or address, or to read same.

Part I, Chapter 2  
A STUDY GUIDE FOR RULES:  
Officers, Employees, Duties

Part I, Chapter 2

A STUDY GUIDE FOR RULES: Officers, Employees, Duties

Officers

Rule 13. Convention Officers. The officers of the Convention shall be a chairman, who shall be chairman of the Convention, a First and a Second Vice-Chairman, a Secretary, a Parliamentarian and a Historian. These officers shall constitute the Executive Committee of the Convention, shall be delegates to the Convention, and shall be elected by a majority vote of the entire membership of the Convention.

Employees

Rule 14. Convention Employees.  
A. A Chief Clerk, a Sergeant-at-Arms, and a Doorkeeper shall be employed by the Executive Committee subject to the approval of a majority vote of the entire Convention; they shall not be delegates to the Convention.

B. All other employees, necessary to aid the Convention, shall be employed by the Executive Committee of the Convention in accordance with Act 2 of 1972.

Executive Committee

Rule 15. Duties. The Executive Committee shall:

A. Employ a research director, research assistants, secretarial and/or clerical personnel and such other professional and technical employees as it deems necessary, in accordance with provisions of Act 2 of 1972;

B. Prepare a budget of salaries and other anticipated expenses of the Convention, based on appropriations and any other funds available to the Convention for expenditure;

C. Confer with the Chairman of the Convention in the appointment of committee chairmen and committee members;

D. Assist the Chairman of the Convention in the assignment of delegates to their seats;

E. Serve as the executive board of the Convention in all matters requiring official sanction;

F. Assist the Chairman of the Convention in his capacity as supervisor of the research staff of the Convention.

The Chairman

Rule 16. Duties. The Chairman shall:

A. Preside at all sessions of the Convention except at sessions presided over by the First and Second Vice Chairmen;

B. Preserve order and decorum;

C. Speak in points of order, and subject to an appeal to the Convention, decide all points of order;

D. Confine delegates in debate to the question, prevent personal reflections, and determine the order of recognition when two or more delegates rise at the same time.

E. Appoint, in conjunction with the Executive Committee, all committee chairmen and members, subject to approval of the Convention by a majority vote of the delegates;

F. Summons delegates to the Convention;  
G. Preside, unless excused, at the opening and closing sessions of the Convention;

H. Sign, in conjunction with the Vice-Chairmen, all official documents of the Convention;

I. Design, with the assistance of the Parliamentarian, the seating of delegates to their seats;

J. Control all other personnel;

K. Call to the meeting, before the opening and closing sessions, the members of the Convention, and, if necessary, the members of the Convention who are absent without further notice;

L. Sign, in conjunction with the Parliamentarian, all official documents of the Convention;

M. Sign, in conjunction with the Parliamentarian, all official documents of the Convention;

N. Examine the official journal of the Convention and all communications, if necessary, attested by the secretaries with notification of the names being made to the Convention at large.

O. Direct the Historian in his official duties, including naming delegates to perform duties connected with the business of the Convention;

P. Vote in all matters before the Convention, except that he shall not vote twice, once as a delegate to cause a tie vote, and again to break the tie vote, nor shall he engage in debate when sitting as presiding officer, nor shall he be in appeal from his rulings;

Q. Maintain general control of the Convention hall, the galleries, and all other seating areas during the session;

R.

S. Sign all warrants and checks for the disbursement of funds from the State Treasury for expenses of the Convention;

T. Serve as the chief administrative officer and supervisor of the Convention research staff, provided that he may delegate certain of these functions to members of the research staff.

First and Second Vice-Chairmen

Rule 17. Duties. The First and Second Vice-Chairmen shall serve as vice-chairmen of the Convention, and as such, shall:

A. Preside, in alternating order, as acting Convention chairmen, when requested to do so by the Convention chairman;

B. Co-sign, with the Convention chairman, all checks for the disbursement of funds from the State Treasury for the expenses of the Convention;

C. Serve as members of the Executive Committee of the Convention.

Secretary

Rule 18. Duties. The Secretary shall:

A. Exercise responsibility for the accuracy of the Convention Journal of Proceedings, and the daily publication and distribution of the Journal;

B. Sign, in conjunction with the Chairman, all ordinances, resolutions and other official documents of the Convention;

C. Serve as Custodian of all documents filed; safeguard all original copies, and require receipts for all originals removed from his custody for purposes of Convention business;

10. Exercise supervisory control, under the direction of the Chairman, over the Chief Clerk and all other clerks and employees of the Convention when in assembly, except the Sergeant-at-Arms and the Doorkeeper, to see that they diligently perform the duties for which employed;

11. Approve the employee payroll of the Convention when in assembly as a deliberative body, exclusive of the employees of the research staff who are answerable to the Executive Committee for their appointment and the Sergeant-at-Arms and the Doorkeeper, who are answerable to the Chairman;

12. Exercise responsibility for roll calls of the Convention;

13. Exercise responsibility for the Convention Calendar of Daily Business, including scheduling of Committee meetings;

14. Exercise responsibility for reproduction, numbering and distribution of all delegate and Committee proposals, and the processing of proposals from introduction to final vote;

15. Exercise responsibility for all purchases necessary for the functioning of the Convention in assembly as a deliberative body, subject to approval of the Chairman and Vice-Chairman who approve warrants and checks written against Convention funds.

Rule 19. Delegation of Secretary's Duties to Chief Clerk.  
Except for certification of official acts, documents and vouchers, the approval of payrolls, and service on the Executive Committee, the Secretary may delegate his duties to the Chief Clerk, subject to supervision by the Secretary.

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#### Chief Clerk

Rule 20. Duties. The Chief Clerk:

A. Shall not be a delegate to the Convention;

B. Shall be the Chief Administrative Officer of the Convention subject to supervision of the Secretary; the Convention whose duties he may assume, at the direction of the Secretary;

C. Shall be answerable to the entire Convention for faithful execution of his duties and the smooth running of the Convention in assembly as a deliberative body.

#### Sergeant-at-Arms

Rule 21. Duties. The Sergeant-at-Arms shall:

A. Attend the Convention during its sitting, to execute commands as directed to him by the Chairman, including signing for and delivery of correspondence addressed to absent members.

B. Maintain order in the Convention Hall and execute Rules of the Convention concerning admission to the floor.

C. Maintain order at Committee hearings and assist committee chairmen in their duties.

D. Exercise supervisory control over his assistants, subject to direction of the Chairman.

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#### Parliamentarian

Rule 22. Duties. The Parliamentarian shall be advisor and counsel to the presiding officer and committee chairmen on all matters of parliamentary procedure, however,

11 parliamentary rulings shall be the responsibility of, and shall be made by, the presiding officer.

#### Historian

Rule 23. Duties. The Historian shall be responsible for the preservation of all proceedings of the Convention and its committees, and shall see that all records are properly preserved in archives of the state.

#### Doorkeeper

Rule 24. Duties. The Doorkeeper shall:

A. Give the orders of the Convention hall and execute announcements of admission to the floor.

B. Deliver messages to delegates, and perform such other duties as delegates request.

C. Supervise his assistants, subject to control of the Chairman.

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### **Part I, Chapter 3 A STUDY GUIDE FOR RULES: Delegates**

#### **Part I, Chapter 3 A STUDY GUIDE FOR RULES: Delegates**

Rule 25. Delegates Only. No delegate shall be qualified to speak unless and until he has taken and subscribed to the following oath:

"I hereby solemnly swear that I will support the Constitution and laws of the United States; that I will well and lawfully perform all duties as a member of the Convention, and that I will observe and bear the limitation of authority contained in the Act under which this Convention has assembled -- so help me God."

Rule 26. Recognition in Debate. When any delegate is about to speak in debate or present any matter to the Convention, he shall raise his address himself to "Mr. Chairman." He shall not speak until recognized and when recognized, he shall confine himself to the question under debate.

Rule 27. Transgression of Rules. If any delegate in speaking or otherwise, transgresses the rules of the Convention, the Chairman shall call him to order in which case the delegate shall sit down and shall not proceed without leave of the Convention.

Rule 28. Limit on Debate. Delegates shall not speak more than once on the same question, for more than fifteen (15) minutes without leave of the Convention, unless the delegate is the mover, proposer, or introducer of the matter pending, in which case the delegate shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

Rule 29. Prohibited Behavior. No delegate shall walk out of the Convention Hall during roll calls, nor shall any delegate in any way impede the business of the Convention by interrupting members who are speaking, by use of obnoxious language, or by engaging in any way in disruptive conduct.

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Rule 30. Questions of Order. Every question of order shall be brought to the Chairman or presiding officer, without debate, subject to approval of the presiding officer may call for the sense of the Convention on a question of order, but when an appeal has been taken on the business of the chair, any subsequent question of order shall be made by the decision of such appeal by the convention

shall be decided by the presiding officer without debate, and all appeals therefrom shall also be decided, without debate.

Rule 11. Answering Roll Calls. Every delegate must be at his desk when a roll call is being taken, and answers to roll calls from your locations within the convention hall shall not be counted.

Rule 62. Absence from Daily Sessions. A delegate may be excused from attendance at daily sessions only with leave from the chairman, and a delegate shall be compensated for a day on which he is absent from conference sessions.

Rule 44. Protest of Elections. No protest or petition contesting the election of any delegate shall be received or considered unless filed within ten (10) days after the adoption of the constitution.

Rule 14. Vacancies. Filling of vacancies and rates of pay shall be governed by provision of Act 2 of 1971, provided however, that absence of a delegate from fifteen (15) consecutive opening roll calls shall be presumed to constitute a vacancy in that position.

Part 1, Chapter 4  
A STUDY GUIDE FOR RULES:  
Proposals

## Part I, Chapter 4

### A STUDY FOR RULES: Proposals

Rule 25. Definition. Every suggested amendment or revision of the Constitution shall be referred to as a bill.

Rule 26. Introduction. A proposal may be introduced by a delegate or delegates or by a committee on behalf of a majority of its membership.

Rule 27. Contents. Each proposal shall encompass an entire article of the constitution; amendments to any given proposal, however, may relate to designated subdivisions of an Article, as sections and paragraphs.

Rule 28, Introduction of Proposed Draft. The various articles of the proposed draft of a Constitution ordered to be prepared by the research staff of the convention by Act 2 of 1972 shall constitute the first proposals to be introduced in the Convention, and shall be introduced by the Executive Committee of the Convention, in their capacity as individual delegates, but this Committee shall not be privileged to introduce any other proposals in its name.

Rule 24, Delegate Proposals. Delegate proposals shall be distinguished from committee proposals by a numbering system devised by the Secretary to the convention; likewise, revised copies of proposals shall be similarly identified to the end that delegates are always aware of the proper identity of the proposal in question.

Rule 30. Deadline on Delegate Proposals. No proposals may be introduced by delegates after the first sixty days following its convening on July 5, 1973; committee proposals, however, may be introduced at any time, provided rules governing procedures for adoption are followed.

Rule 31. Quadruplicate Copies. All proposals, committee or delegate, must be introduced in quadruplicate to be distributed as follows: one copy to be filed with the convention secretary as the

official copy; one copy to be filed with the convention research staff for ultimate use of the convention historian; one copy for use of the printer; and one copy for a representative of the press.

Rule 12. Format. Each proposal shall be typewritten in double-

being on one side of white paper, and the caption of each proposal shall be on the other, and that as is determined by the Executive Committee in accordance with Rule 1 of the convention.

Article 10. Printing. Each proposal introduced shall be immediately printed and distributed to the delegates for consideration. Printing expenses shall be distributed to the general public and other parties shall be within the discretion of the secretary to the convention.

#### Sub- 4. Order of Processing.

The order of convention procedure in processing each proposal shall be as follows:

A. Introduction, which shall constitute the first reading.

8. Committee referral, to be made by the Chairman of the convention on the day following the introduction, and to be determined by the subject matter of the proposal as well as the article being revised or amended.

C. Committee report, which shall commence the second reading.

D. Consideration of the standing committee report by delegates in general assembly or in the committee of the whole.

E. Vote on committee report by convention delegates.

F. Reconsideration by Standing committee or committee  
of the whole: or

G. Reference to committee on style and drafting.

H. Engrossment, which shall complete the second reading.

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1. Third reading and final passage.

#### J. Enrollment.

K. Convention approval of final styling.

In no event shall first, second, and third readings occur on the same day.

Rule 35. Amendments. Amendments to proposals may be made by a committee only when it has a proposal under consideration, or by a delegate only when the proposal is being considered in the committee of the whole.

Rule 36. Style and Drafting. When all proposals have been processed, the entirety of those adopted shall be sent to the committee on style and drafting for orderly arrangement in the new proposed constitution, to the end that the document shall be properly coordinated and uniform in style, and such final draft must be approved by a majority of the elected delegates.

15

Part I, Chapter 5  
A STUDY GUIDE FOR RULES:  
Committees

6. *Journal of the American Statistical Association*

1. *Chlorophyll a* (Chl *a*)  
 2. *Chlorophyll b* (Chl *b*)  
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 4. *Chlorophyll d* (Chl *d*)  
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debate, only the following motions may be entertained, in the order of precedence:

- (a) to adjourn or recess (privileged);
- (b) to limit debate;
- (c) to return to the agenda;
- (d) to lay on the table;
- (e) for the previous question;
- (f) to postpone indefinitely;
- (g) to postpone to a day certain;
- (h) to commit, refer or recommit;
- (i) to amend;

Rule No. 55. Debatable Motions. Of the above motions, (d) and (e) are not debatable, motions to take up or proceed to the consideration of any question shall be determined upon the merits, without debate of the question to be considered.

Rule No. 56. Withdrawal. The motion may be withdrawn by the mover at any time before decision amend or ordering of the yeas and nays, except a motion to reconsider, which may not be withdrawn without consent of the convention.

Rule No. 57. Format of Motions and Second. Motions shall be presented in the following manner:

A. Every motion except for adjournment or similar brief motions shall be in writing, if desired by the presiding officer or any delegate, and each member shall attach his or her name to every ordinance, resolution, amendment, order, report or motion presented, before it may be received by the Chair or read by the Secretary, or before it is debated, if debate is in order.

B. No motion need be seconded.

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Rule No. 58. Reconsideration. Reconsideration of a text may be made in the following manner:

A. When a motion has been carried or lost, it shall be in order for any delegate on the side that prevailed to move for the reconsideration thereof, but no motion for reconsideration shall be in order, unless made on the same day on which the vote was taken, or within the morning hour of the next succeeding session day.

B. When any question shall have been decided by the convention, in which two-thirds of the delegates present are necessary to carry the affirmative, any delegate who voted on the side that prevailed may be at liberty to move for a reconsideration; and a motion for reconsideration shall be decided by a majority vote.

C. No motion to reconsider a vote which has been reconsidered previously shall be in order at any time.

Rule No. 59. Division of a Question. When a question contains several points, any delegate may have same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out a different proposition; nor preclude a subsequent motion simply to strike it out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Rule No. 60. Call for the Previous Question. When a call for the previous question has been made and sustained, the question shall be upon pending amendments, and the main question, in their regular order and all incidental questions of order arising after a motion for the previous question has been made, and pending such motion, shall be decided whether on appeal or otherwise, without debate; provided a majority of the delegates present shall be necessary to order the previous question, and the question from the chair shall be, "Shall the main question be now put?"

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Rule No. 61. Adjournment or Recess. A motion for adjournment or recess shall be in order at any time, and shall be decided by a majority vote. A motion for adjournment or recess shall be in order at any time, and shall be decided by a majority vote.

#### Special Orders

Rule No. 67. Consent. No ordinance, resolution or other subject shall be made a special order for a particular day without the consent of two-thirds of the Members present.

Rule No. 68. Consideration. When the day shall have arrived for the consideration of a special order, it shall be the duty of the Presiding Officer to take it up, unless the unfinished business of the preceding day shall be under consideration.

Rule No. 69. Precedence. When two or more subjects shall have been specially assigned for consideration, they shall take precedence according to the order of time for which they were severally made or assigned, and said orders shall at no time be lost or changed except by direction of the convention.

#### Change in Rules

Rule No. 70. Notice. No standing rule of the convention shall be rescinded, altered or amended without one day's notice being given in writing of the motion therefor, and without the approval of the majority in Rules, and except where unanimous consent may be required, no rule shall be suspended except by a vote of two-thirds of the delegates present.

Rule No. 71. Authority. On any question of order and parliamentary practice, when these rules are silent or inexplicit, custom or usage shall be considered authority.

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#### Part 1, Chapter 7 A STUDY GUIDE FOR RULES. Lobbyists

#### Part 1, Chapter 7 A STUDY GUIDE FOR RULES. Lobbyists

Remember that the two main motions in a legislative body are a motion to pass or to reject a bill, and that the rules of the legislative body are the rules of the legislative body.

Part II

COMPARATIVE RESEARCH DATA  
ON LOUISIANA AND SEVEN OTHER  
SELECTED STATES

Chapter 1	General Provisions
Chapter 2	Officers, Employees, Duties
Chapter 3	Delegates
Chapter 4	Proposals
Chapter 5	Committees
Chapter 6	Transaction of Business
Chapter 7	Lobbyists

Part II, Chapter 1

COMPARATIVE RESEARCH DATA:

General Provisions

Part II, Chapter 1

COMPARATIVE RESEARCH DATA: General Provisions

LOUISIANA

Roll-Call Convention Rules

Article 1. A quorum shall consist of a majority of the entire Membership of the Convention.

Article 2. Any Member entering the Hall after the roll call is given the roll, shall immediately notify the Secretary, writing his name on a slip of paper and depositing it on the desk.

Article 3. In absence of a quorum, fifteen Members shall be authorized to compel the attendance of absent Members, and in all calls of the Convention the roll shall be closed, the names of the Members present called by the Secretary, and the absentees notified by the Sergeant-at-Arms or other persons authorized for that purpose, and their attendance ascertained and the Convention shall determine whether they shall be discharged, unless the Convention otherwise directs, be immediately admitted to the Hall of the Convention, and they shall report their names to the Secretary to be entered upon the Journal as present.

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LOUISIANA

Roll Call

Article 1. The roll call shall be taken at 10 o'clock each morning, and the roll shall be closed at 10:15 o'clock. The roll shall be taken by the Secretary, and the names of the Members present shall be entered upon the Journal. The roll shall be taken by the Secretary, and the names of the Members present shall be entered upon the Journal. The roll shall be taken by the Secretary, and the names of the Members present shall be entered upon the Journal.

Article 2. The roll call shall be taken at 10 o'clock each morning, and the roll shall be closed at 10:15 o'clock. The roll shall be taken by the Secretary, and the names of the Members present shall be entered upon the Journal.

Article 3. The roll call shall be taken at 10 o'clock each morning, and the roll shall be closed at 10:15 o'clock. The roll shall be taken by the Secretary, and the names of the Members present shall be entered upon the Journal.

Article 4. The roll call shall be taken at 10 o'clock each morning, and the roll shall be closed at 10:15 o'clock. The roll shall be taken by the Secretary, and the names of the Members present shall be entered upon the Journal.

Article 5. The roll call shall be taken at 10 o'clock each morning, and the roll shall be closed at 10:15 o'clock. The roll shall be taken by the Secretary, and the names of the Members present shall be entered upon the Journal. The roll shall be taken by the Secretary, and the names of the Members present shall be entered upon the Journal. The roll shall be taken by the Secretary, and the names of the Members present shall be entered upon the Journal.

LOUISIANA

Article 6. At any time the Senate is in session, whether under the flag, whenever of the day's session or at any time during the hour has arrived to which the Senate closed adjourned, a majority of the members present, whether a quorum or present or not, are hereby authorized to send the Sergeant-at-Arms, or any person or persons authorized by the members present, to any of the absent Senators, and the majority of such Senators present shall agree.

Article 7. Any expenses incurred in compelling the presence of an absent member shall be borne by such member, unless such expense is reimbursed to him by the Senate. A majority of a quorum shall judge sufficient, in which case the expense shall be paid out of the Entertainment fund.

Article 8. No motion shall be deemed in order to admit any person whatsoever within the doors of the Senate Chamber to present any petition, memorial or address, or to read matter.

Article 9. When a rising upon a incidental or executive business the Senate Chamber shall be cleared of all persons except the Secretary of the Senate, the principal or executive clerk, the Sergeant-at-Arms and Doorkeeper, the Assistant Doorkeeper, and such other officers as the President may or shall think necessary and all such officers shall abstain from discussion.

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LOUISIANA

Article 10. No person shall be admitted on the Senate floor when the Senate is in session or during the period thirty minutes before the time set for the convening of each session or the thirty minute minutes after the adjournment of each session, except that members of the Senate and Secretary of the Senate, and employees of the Senate or of Senators, members of the House of Representatives may be admitted during such times.

Article 11. The chair, permanently affixed to the floor and the desk of each Senator, and no other chairs shall be permitted on the floor of the Senate.

Article 12. No permission to sit on the Senate floor shall be granted to the presiding officer of the Senate to the members of other states or of the United States or of foreign countries.

Article 13. A Sergeant-at-Arms in the Senate chamber shall maintain order and the members, who shall have free access to the Senate floor, shall be members of the press and not members of any other body for admission shall be administered.

for the President of the Senate, or its President. The Senate may delegate this function to the Senate and Governmental Affairs Committee. A member of the press or of any news media shall undergo a formal interview with a Senator on the Senate floor while the Senate is in session.

14. The Lieutenant Governor shall designate a suitable place at the side of the Senate Chamber with adequate facilities for the exclusive use of members of the Senate and the persons designated in Paragraph 3 hereof.

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## LOUISIANA

15. No disruptive conversations will be held in the Senate Chamber.

16. Seating facilities shall be provided for the public in the Senate gallery. Admission shall be under such conditions as shall be determined by the President of the Senate.

17. The President of the Senate shall provide for the administration of the rules governing admission to the Senate as provided herein, or he may delegate this function to the Senate and Governmental Affairs Committee.

18. The presiding officer of the Senate shall have the regulation and control of such parts of the Capitol and its passage as are or may be set apart from the use of the Senate and its officers.

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## Part II, Chapter 1

### COMPARATIVE RESEARCH DATA: General Provisions

## ARKANSAS

Rule 14. Quorum and Majority. A majority of the delegates elected to the Convention shall constitute a quorum for the transaction of business, but a smaller number may adjourn from day to day and may compel the attendance of absent delegates by any means adopted by a majority. If those present, including those by the adjournment, or has duly designated agent.

If, being a quorum, a majority of those delegates voting shall be sufficient for the adoption of any motion or resolution or the taking of any action except where the affirmative vote of a greater number shall be required by these rules or by law.

Rule 15. Admission to Floor. No person, other than a permanent delegate, an officer, employee or news correspondent authorized by the President shall be admitted to the floor of the Convention unless invited by the President or authorized by the delegates. The word "floor of the Convention" means the space between the front of the Chamber, excluding the galleries designated for seating and for the press.

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## Part II, Chapter 1

### COMPARATIVE RESEARCH DATA: General Provisions

## HAWAII

Rule 14. The presence of at least forty-two delegates shall be necessary to constitute a quorum of the Convention

or a group number may meet and adjourn the Convention from time to time necessary and may require the attendance of absent members.

Rule 15. A quorum being present, a majority of delegates shall be sufficient for the adoption of any motion or resolution or the taking of any action except where the affirmative vote of a greater number shall be required by these rules.

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## Part II, Chapter 1

### COMPARATIVE RESEARCH DATA: General Provisions

## ILLINOIS

### Rule 1. Quorum and Majority.

Fifty-nine members of the Convention constitute a quorum for the transaction of business, but a smaller number may adjourn the Convention from day to day and may also compel the attendance of absent members by the means approved by a majority, but not less than twelve of the members present and voting. A majority of members may prescribe penalties for the nonattendance of members.

When a quorum is obtained, the affirmative vote of a majority of the members present and voting is sufficient for the adoption of any motion or resolution or the taking of any action, except in those cases where the affirmative vote of a different number is required by these rules.

The term "majority of members," unless otherwise specified, means a majority of the number of members elected and for which no vacancy exists by resignation, expulsion under Rule 61, or death.

### Rule 2. Admission to Floor--Being

On members, officers, and employees and such other persons as may be authorized by the President shall be admitted to the floor on the Convention during the session. The phrase "floor of the Convention" means the room or room where the Convention sits in session, excluding the space designated for visitors and for the press.

### Rule 3. Bar of the Convention--Being

Any member, having answered the roll call at the opening of any session of the Convention or of a committee meeting, or having entered upon the floor of the Convention or committee room after roll call, shall thereafter remain within the bar of the Convention unless excused by the President of the Convention or by the committee chairman.

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## ILLINOIS

The phrase "within the bar of the Convention" means the space occupied and used by the Convention or by any committee conducting the business of the Convention.

### Rule 4. Seat of the Convention

The initial seal of the Convention is the hall of the House of Representatives in the state capital building in the city of Springfield, Illinois. Sessions of the Convention and of the Committee of the Whole may be held at any other place in the state when authorized by the Convention. Meetings of the standing committees of the Convention may be held throughout the state as provided in rule 25 of these rules.

### Rule 5. Meetings of the Convention

All meetings of the Convention shall be open to the public and the news media.

### Rule 6. Assignment of Seats

The permanent seats of the members shall be assigned by the President in the following order: alphabetically, from right to left, while facing the chair and from the front to the rear. Variations in this seating may be authorized by the President for the officers of the Convention. The same alphabetical procedure shall be followed for seating the members in sessions held at locations other than the seat of the Convention.

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MARYLAND

Rule 1. Quorum and Majority. A majority of all the delegates of the Convention shall constitute a quorum for the transaction of business, but a smaller number may adjourn the Convention from day to day and may also compel the attendance of absent delegates by the means approved by a majority, but not less than fifteen, of the delegates present. A majority of all the delegates may prescribe penalties for the non-attendance of delegates.

When a quorum is obtained, the affirmative vote of a majority of the delegates present and voting shall be sufficient for the adoption of any motion or resolution or the taking of any action, except in those cases where the affirmative vote of a greater number shall be required either by these rules or by Section 10 or Section 11 of Chapter 2 of the Acts of the General Assembly of 1967.

All sessions of this Convention and all meetings of its committees shall be open to the public at all times, and no rules shall be promulgated which in any way infringe upon the public's right to information about the Convention.

MARYLAND

Article 1. Admission to Floor - Defined. No person, other than a delegate, officer or employee of the Convention, or his/her spouse, correspondent or person invited by the president, shall be admitted on the floor of the Convention immediately preceding the time set for any call to order and immediately following adjournment. Only delegates, officers or employees and such other persons as may be authorized by the president shall be admitted to the floor of the Convention during the session. The phrase "floor of the Convention" means the room or chamber where the Convention opens its session, excluding the space designated for visitors and for the press.

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Part II, Chapter 1

COMPARATIVE RESEARCH DATA: General Provisions

MICHIGAN

Quorum and Majority

Rule 1. A majority of the delegates elected to the convention shall constitute a quorum for the transaction of business but a smaller number may adjourn from day to day, and may compel the attendance of absent delegates by the means adopted by a majority of those present but not less than fifteen in time, and a majority of the delegates not less than five penalties for non-attendance.

When being a quorum, a majority of delegates present shall be sufficient for adoption of any motion or resolution or the taking of any action except where the affirmative votes of a greater number shall be required by these rules.

Access to Floor - Defined

Rule 2. No person, other than a convention delegate, officer, employee, or accredited news correspondent shall be admitted on the floor of the convention for a period of 30 minutes immediately preceding the time set for any call to order and for 10 minutes immediately following adjournment unless invited by the president.

Any delegate, officers and employees authorized by the president shall be admitted to the floor of the

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MICHIGAN

convention during the session. The words "floor of the convention" mean the space of the main floor of the convention, including the space designated for visitors and for the press. No introductions shall be made, except that the presiding officer may introduce official representatives of other states, the United States or other nations, or other persons invited by him to address the convention.

Rule 3. The Convention - Defined

Rule 3. Any delegate, having answered roll call at the opening of any session, or having entered upon the floor of the convention after roll call, shall thereafter be deemed to be present until leave of absence is obtained from the convention. Any delegate present at any session shall continue to be present if he shall be within the bar of the convention. The words "within the bar of the convention" mean the space occupied and used by the convention and any committee or other room attached thereto and used in connection with conducting of the business of the session.

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Part II, Chapter 1

COMPARATIVE RESEARCH DATA: General Provisions

NEW MEXICO

1. Quorum - A majority of all the delegates elected to the convention constitutes a quorum for the transaction of business, but a smaller number may adjourn the convention from day to day and may also compel the attendance of absent delegates by means provided in these rules. A majority of the delegates elected may prescribe penalties for the non-attendance of delegates.

2. Voting - (a) When a quorum is obtained, the affirmative vote of a majority of the delegates present and voting is sufficient for the adoption of any motion or the taking of any action, except as provided elsewhere in these rules.

(b) Access to Floor - (1) No person shall be admitted to the floor of the convention, other than a delegate, officer or employee of the convention, accredited news correspondent or person invited by the president to sit with him. As used in these rules, "floor of the convention" means the chamber of the New Mexico house of representatives, excluding the gallery.

(2) Taped Recording - A taped recording will be made of all sessions and proceedings of the committee of the whole and of the convention sessions and will be filed in the state archives.

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Part II, Chapter 1

COMPARATIVE RESEARCH DATA: General Provisions

PENNSYLVANIA

Rule 17. What Constitutes a Quorum. A majority of all the Delegates elected shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent Delegates.

Visitors Barred from Convention Hall During Quorum Call.  
Visitors shall not be admitted to the Convention Hall after the doors are closed, nor until the proceedings under the call are terminated.

Quorum Call Undebatable. These proceedings shall be without debate and no motion, except to adjourn, shall be in order.

When Less than a Quorum Vote. When less than a quorum vote upon any subject under the consideration of the Convention, not less than twelve Delegates may demand a call of the Convention. It shall then be the duty of the President to order the doors of the Convention to be closed and the roll of the Delegates to be called. If it is ascertained that a quorum is present, either by answering their names or by their presence in the Convention Hall, the President shall again order the roll to be called; and if any Delegate or Delegates present refuse to vote, such refusal shall be deemed and recorded as a negative vote.

When Less than a Quorum Present.

When, upon a call, which may be demanded by not less than twelve Delegates, it is found that less than a quorum

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PENNSYLVANIA

is present, the Secretary shall immediately report to the Convention the names and reasons for leave of absence of any Delegate and it shall be the duty of the President to order the doors of the Convention to be closed and to order the Secretary to call to call the roll of the Convention and to note the absentees for which no leave has been granted, after which the names of the absentees shall again be called. Those for whose absence no excuse has been granted, may, by order of a majority of the Delegates present, be sent for and taken into custody by the Sergeant-at-Arms or his assistants appointed for the purpose, and be brought before the bar of the Convention where, unless excused by a majority of the Delegates present, they shall be reproved by the President for neglect of duty.

Admission of Delegates During Quorum Call. Delegates who voluntarily appear during a quorum call shall be admitted to the Convention Hall. Upon recognition by the President, they shall announce their presence and their names shall be recorded on the roll.

Rule 15. Admission to the Floor of the Convention. It shall be the duty of the Sergeant-at-Arms to prevent all persons except Delegates, officers and employees of the Convention and properly accredited photographers, newspaper representatives, radio and television personnel from coming within the bar of the Convention Hall, unless upon invitation of the President.

No other person shall be permitted to occupy the seat of a Delegate at any time.

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Part II, Chapter 2

COMPARATIVE RESEARCH DATA:

Officers, Employees, Duties

Part II, Chapter 2

COMPARATIVE RESEARCH DATA: Officers, Employees, Duties

LOUISIANA

1911 Convention

DUTIES AND prerogatives of PRESIDING OFFICER

Call of the Order

Presiding Officer shall  
the roll be called

Rule No. 10. The Presiding Officer shall call the roll of the members at the hour fixed at its first meeting, shall continue to present, unless the Council or the Assembly otherwise ordered by the Convention, the roll of the members at the request of the entire Membership of the Convention.

President, Pres. Ten.

Rule No. 11. The President may call any Member to the Chair, in the absence of the Vice-President; but such appointment shall not extend beyond adjournment of the day.

Miscellaneous Duties of the President

Rule No. 12. The Presiding Officer shall preserve order, continue Members to the question under discussion, decide questions of order; and when two or more Members rise to speak at the same time, decide who shall first be heard.

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LOUISIANA

Rolling of Vote

Rule No. 13. He shall declare all votes, but if a Member doubts a vote, the President shall immediately order the vote polled, without debate.

Manner of Putting Question

Division

Rule No. 14. The President shall rise to put a question, but may state it while sitting. Before putting a question, he shall ask: "Are you ready for the question?" When it is evident no Member desires to speak, the question shall be put in this form: "As many as are in favor of (the question) say 'AYE'; and then, "as many as are opposed, say 'NO'." If the President is unable to decide, or if a division is demanded, the Convention shall divide. Those voting in the affirmative shall rise and be counted by the Secretary, and then those of the negative. The President shall then announce the decision.

Committees Appointed by President

President To Sign All Ordinances, Etc.

Rule No. 15. All committees shall be appointed by the President, unless otherwise ordered by the Convention. He shall sign all ordinances, addresses, and resolutions, and all writs, warrants and subpoenas issued by order of the Convention, attested by the Secretary.

President Has Control of Convention Hall, Etc.

Rule No. 16. The President shall have general control of the Convention Hall, its corridors, lobby, galleries and all other rooms set apart for the use of the Convention. He may order the lobby or galleries cleared when he deems it necessary.

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President shall Clear Hall at Request of Ten Members

Rule No. 17. The President shall, at the request of any ten Members, clear the Hall of all persons except Members, officers and employees.



in the convention for the Style and Revision of the work of the convention and its formulation into a completed document.

"(n) The Fourth Vice-President shall be responsible to the convention for the preparation and formulation of a basis for legislative action necessary to put into effect the provisions of the constitution."

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## LOUISIANA

### 1972 Senate Rules

#### Functions and Duties of the President

2. It shall be the duty of the President to preserve order, decide questions of order, prevent personal reflections, continue members in debate to the question, and when two or more members rise at the same time, decide who shall be first heard; but an appeal in all cases shall lie to the Senate, and a member called to order may extenuate or justify.

3. He shall declare all votes; but if any Senator rises to doubt a vote, the President shall order a poll of the vote without further debate.

4. He shall rise to put a question, but may state it while sitting.

5. Before putting any debatable question, the President shall ask: "Are you ready for the question?" When it is evident that no Senator wishes to speak, the question shall be put by the President and the voting machine shall be opened by the Secretary and shall be used to record the vote of the Senators. The President shall put the question in substantially the following form: "As many as are in favor of (as the question may be) vote yes (green light) when the machine is opened; those opposed will vote no (red light). The Secretary will open the machine." After the Senators have voted, the President shall order the Secretary to close the machine and shall announce the vote.

At any time the voting machine is out of order the vote on any question shall be taken by oral roll call in alphabetical order, after which the President shall rise and state the decision of the Senate.

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## LOUISIANA

6. All acts, addresses and joint resolutions shall be signed by the President, and all writs, warrants, and subpoenas issued by order of the Senate, shall be under his hand and seal, attested by the Secretary.

7. The President shall have the right to examine and correct the Journal before it is read. He shall have general direction of the Senate Chamber, and shall have the right to name any Senator to perform any duties of the Chair.

#### Duties of the Secretary

62. A. All questions of order with the decisions shall be noted by the Secretary and included in the Journal.

B. In case any clerk, Sergeant-at-Arms or Doorkeeper of the Senate shall fail to perform his duties, the Secretary shall make a report thereof to the President of the Senate without delay.

C. The Secretary shall read the Journal daily unless otherwise ordered by the Senate. The Secretary

may have any errors in the printed Journal corrected. The Journal shall be authenticated by the Secretary in his absence by his chief assistant.

D. The Secretary shall consider himself responsible to the Senate for the accuracy of the Journal.

#### Duties of the Sergeant-at-Arms

63. It shall be the duty of the Sergeant-at-Arms to attend the Senate during its sitting, to execute commands of the Senate from time to time, together with all such process, issued by the authority thereof, as shall be directed to him by the President.

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## LOUISIANA

The Sergeant-at-Arms shall, during the session of the Senate, prohibit any lounging or loitering in the Senate Chamber and keep the railings clear of all persons. It shall be the duty of the President to see that this rule is enforced, and persistent disregard of it by any officer shall be cause for dismissal by the President.

The Sergeant-at-Arms shall attend all committee meetings or have an assistant present to maintain order and to assist the Chairman in any manner that will aid in the work of the committee.

The Sergeant-at-Arms or his assistants shall remain on duty in the Senate during recess or the Senate and keep visitors from the desks of the members.

The Sergeant-at-Arms or his assistants shall sign for messages and telegrams of absent members and be responsible for their prompt delivery.

#### Duties of the Doorkeeper

64. It shall be the duty of the Doorkeeper to keep the door of the lobby, to announce messages, and perform such other duties as the members may require. He shall also see that his assistants perform the duties assigned to them.

The Doorkeeper and his assistants are directed to wear proper badges at all times when in the discharge of their respective duties.

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### Part II, Chapter 2 COMPARATIVE RESEARCH DATA: Officers, Employees, Duties ARIZONA

Rule 1. Officers of the Convention. The officers of this Convention shall be a President, who shall be chairman of the Convention, and four vice-presidents, each of whom vice-presidents shall be from a different congressional District. The President and vice-presidents shall be delegates to the Convention and elected by the majority vote of the entire Convention.

Section 1. Duties of the President. The President shall preside at the chair of the Convention, and shall be chairman of the Convention and shall have all matters received. He shall call the Convention to order, and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules. The President shall preserve order and decorum, he may adjourn to points of order and, subject to an appeal to the Convention, shall decide questions of order. When two or more delegates are in session at the same time, the President shall, at debate, the President shall recognize the delegate who is to speak first.

Rule 6. Press Representatives. The President shall assign as needed news correspondents press facilities in the Convention chamber. News correspondents using cameras, tape recorders and similar reporting devices shall conduct themselves so as not to interfere with the orderly course of the proceedings of the session.

Rule 7. Naming of Chairman of the Committee of the Whole. When the Convention shall have decided to go into the Committee of the Whole, the Vice-presidents in the order of their precedence shall provide therein, or if none be

ARIANSAC

present, the President shall name a chairman of the Committee of the Whole.

Rule 8. Delegates. The President may take in all elections, and in all other elections, as delegates, not all members present, as well as, except in appeals, all non-members.

Rule 9. Delegates, Delegates, and Delegates. In the absence of the President, the President shall take in all elections, and in all other elections, as delegates, not all members present, as well as, except in appeals, all non-members.

Rule 10. Secretary. The Secretary shall be the director of the second assembly, including all employees of the Convention, and shall supervise the work of all staff members.

Rule 11. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

Rule 12. Roll Call. The secretary shall call the roll at the opening of the session of the Convention and announce whether a quorum is present. He shall announce the names of the delegates present with leave, the Convention and the names of the delegates present without leave, and enter the names of all delegates on the Journal. Leave of the

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Rule 13. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

Rule 14. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

Rule 15. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

Rule 16. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

of the opening day. A Convention reporter shall keep a verbatim record of Convention proceedings and shall, within the time prescribed in his appointment by the Convention, provide a verbatim transcript of all proceedings of the sessions of the Convention and of the Committee of the Whole.

Rule 17. Calendar of Business. The secretary, under the direction of the Rules Committee, shall maintain a calendar of the business of the Convention and he shall furnish each delegate daily with a copy of the calendar for that day and a list of committee meetings scheduled for the following day.

Rule 18. Delegate Proposals and Committee Proposals. The secretary shall attend to the reproduction of all delegate proposals, committee proposals, resolutions and amendments as ordered by the Convention. The secretary shall give a number to each delegate proposal when introduced, and the numbers shall be in numerical order. When proposals are

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Rule 19. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

Rule 20. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

Rule 21. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

Rule 22. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

Rule 23. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.

set II, Chapter 2

COMPATIBLE RETIREMENT DATA: Officers, Employees, Duties  
HWAII

CHAPTER

Rule 24. Delegates in Office. In the event of a vacancy in an office, the Convention shall elect a delegate to the office as the office was originally filled.



## Employees

Rule 7. A Chief Clerk and an Assistant Clerk shall be elected by the vote of at least forty-two delegates and such election shall be by ballot.

All other employees shall be appointed by the President, subject to the approval of the Convention.

## The President and Vice-Presidents

Rule 8. The President shall take the chair each day at the hour at which the Convention shall have adjourned. He shall call the Convention to order, and, except in the absence of a quorum, shall conduct business in the manner prescribed by these rules.

Rule 9. The President shall possess the powers and perform the duties herein prescribed, viz:

(a) He shall preserve order and decorum, and in debate, shall prevent personal reflections, and continue numbers to the question under discussion. When two or more members arise at the same time, he shall name the one entitled to the floor.

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(b) He shall decide all questions of order, subject to appeal to the Convention. On every appeal he shall have the right, in his place, to assign his reason for his decision. In case of such appeal no member shall speak more than once.

(c) He shall appoint all committees, except where the Convention shall otherwise order.

(d) He may substitute any member to perform the duties of the chair while he is present, but for no longer period than that day, except by special consent of the Convention.

(e) When the Convention shall be ready to go into Committee of the Whole, he shall name a chairman to preside therein.

(f) When necessary or required, he shall, with the Secretary, certify all official acts and all vouchers for payment of expenditures of the Convention.

(g) He shall designate and assign to seats or authorize the designation and seating of the persons who shall act as reporters for the public press and radio within the Convention Hall.

(h) He shall be a member ex-officio without vote of the several committees to which he is not specifically appointed.

(i) He shall declare the vote and announce the result according to the fact on all questions and divisions.

(j) He shall not engage in any debate, or propose his opinion on any question, except the assigning of his reasons for his decision on appeal therefrom, without first calling some delegate to occupy the chair.

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HAWAII

Rule 10. In the event of a vacancy in the office of a Vice-President by death, resignation or otherwise, the Convention shall, by the vote of at least forty-two delegates, elect a President to fill such vacancy.

In case of the temporary absence of the President, his duties shall devolve from day to day upon the Vice-President present in alphabetical rotation.

Rule 11. In the event of a vacancy in the office of a Vice-President by death, resignation or otherwise, the Convention shall, by the vote of at least forty-two delegates, elect a new Vice-President.

In the case of the temporary absence of all Vice-Presidents to discharge the duties of their offices, the Convention shall have the power to designate and appoint some other delegate to discharge the duties of the office during such temporary absence.

## Secretary

Rule 12. The Secretary shall keep a Journal of the proceedings of the Convention and, under the direction of the President, shall prepare and place on the desk of the President each day a calendar of the business of the Convention, as provided by these rules.

Rule 13. The Secretary shall prepare for printing all proposals and other documents which are required to be printed under these rules under the direction of the Committee on Accounts and Printing and shall see to it that they are properly and correctly printed.

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HAWAII

Rule 14. The Secretary shall number consecutively each proposal of subject matter to be incorporated into the Constitution when introduced. When a proposal is introduced by a Committee, the Secretary shall number such proposal consecutively in a separate series.

Rule 15. The Secretary shall preserve all proposals, reports of Committees and all other records, books, documents and papers of the Convention and after the adjournment of the Convention shall deliver them to the Archives Division, Department of Accounting and General Services, State of Hawaii, or shall make such other disposal of them as the Convention shall direct.

Rule 16. When necessary or required, the Secretary shall, with the President, certify all official acts and all vouchers for payment of expenditures of the Convention, and he shall perform such other duties as are required of him by these rules and as from time to time shall be required of him by the Convention.

Rule 17. One copy of the final draft of any proposal or Committee report presented to or prepared by the Convention shall be delivered by the Secretary to the Archives of the State of Hawaii.

Rule 18. Other than certification of official acts, documents and vouchers by the Secretary, he may delegate his duties to the Chief Clerk.

In the event of a vacancy in the office of Secretary by death, resignation or otherwise, the Convention shall, by the vote of at least forty-two delegates, elect a new Secretary.

In the case of the temporary absence of Secretary to discharge the duties of his office, the Convention shall have the power to designate and appoint some other delegate to discharge the duties of the office during such temporary absence.

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## Part II, Chapter 2

### COMPARTIME RESEARCH DATA: Officers, Employees, Duties

#### ILLINOIS

#### ARTICLE IV. OFFICERS AND EMPLOYEES

The permanent officers of the Convention shall be a President, three Vice-Presidents of equal power and authority, and a Secretary. The President and the three Vice-Presidents shall be

compensated at rate not to exceed those established by section 8-10-10, and he shall receive no additional salary. The permanent officer shall be a member and shall be elected by the Convention by a majority of the votes cast.

#### Duties of the President

The president shall be the presiding officer and chief executive officer of the Convention. He shall preside at sessions of the Convention and of the Committee of the Whole, and exercise the usual powers and perform the usual duties of a presiding officer. He shall preserve order and decorum. He may speak to points of order and may put to an appeal to the Convention or to the Committee of the Whole, and shall decide points of order.

He shall cause to be prepared and furnished to each member a calendar and agenda of business for each session of the Convention.

Together with the secretary of the Convention, he shall authenticate by signature all proposals, resolutions, or other formal acts adopted by the Convention.

He shall, within thirty days after his election, prepare a budget and submit it to the Convention for its approval. On the first day of each month he shall submit to the Convention a report of the expenditures of the Convention for the preceding month.

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He shall let bids and award contracts for materials and services.

He shall have general charge and supervision over the executive, research, and clerical staff, and all other employees of the Convention.

He may vote in all elections, on all divisions called for by any member, and on all questions taken by ayes and nays, including appeals from his decisions, except that the president may not vote twice, once to cause a tie vote and then again to break it.

He may designate any member to preside over the Convention in case of his absence or temporary disability for not more than two consecutive Convention days.

#### Rule 9. Duties of the Vice-Presidents

The vice-presidents shall carry out such powers and duties as are assigned by the president. If the president is temporarily absent or temporarily unable to preside and has not designated another member to preside or if the temporary absence or disability exceeds two Convention days, one of the vice-presidents shall be selected by the Convention to exercise the powers and perform the duties of the president. The secretary shall preside temporarily while such selection is made.

#### Rule 10. Duties of the Secretary

The secretary shall have custody and preserve all proposals, resolutions, committee reports, and all other records, books, documents, and papers of the Convention. He shall not permit them to be taken out of his custody except in the regular course of the business of the Convention.

He shall certify and deliver to the secretary of the state the revisions or alteration of or amendments to the constitution as approved by the Convention for submission to the electorate.

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### ILLINOIS

He shall cause to be kept and furnish to each member a printed Journal of the proceedings of the Convention for the previous day which, when approved by the Convention, shall be the official

Journal of the Convention. He shall also cause to be kept and to be submitted to the Convention for approval a verbatim record of the proceedings of sessions of the Convention and meetings of the Committee of the Whole.

He shall have such other duties as stipulated in these rules, but, after consultation with the president, he may delegate part of his duties to the executive director, or another employee designated by the president. He may not, however, delegate the duty of certifying the revision or alteration of or amendment to the constitution approved by the Convention for submission to the electorate.

#### Rule 11. Vacancies

If a vacancy occurs in the office of president, the secretary shall temporarily preside until the Convention elects a president to fill the office in the same manner in which the officer was first elected.

If a vacancy occurs in the office of any of the vice-presidents or in the office of the secretary, the president shall appoint a member to exercise the powers of that vacant office until the Convention fills the vacancy in the same manner in which the officer was first elected.

#### Rule 12. Employees of the Convention

There shall be an executive director of the Convention, and such other employees as may be necessary for the effective operation of the Convention, all of whom shall be appointed by the president. All employees shall be persons who are not members and their compensation shall be fixed in such manner as may be determined by resolution of the Convention.

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#### Rule 13. Duties of the Executive Director

The executive director shall be primarily responsible for the administration of the Convention, under the authority and supervision of the president. In this capacity he shall be responsible for the employment, assignment, and direction of all personnel, and the supervision of the payroll, and he shall be director of the Convention's budget. He shall also supervise the acquisition and care of the facilities, services and supplies needed by the Convention. He shall have such other duties and responsibilities as may be delegated to him by the president or the Secretary of the Convention.

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### Part II, Chapter 2 COMPARATIVE RESEARCH DATA: Officers, Employees, Duties MARYLAND

#### Officers

Rule 3. Officers of the Convention. The officers of the Convention shall be an honorary president, a president, a first vice-president, and a second vice-president, all of whom shall be elected by the Convention by the vote of a majority of all the delegates, by roll call vote. There shall also be a secretary, a chief clerk, a sergeant at arms, a parliamentarian, a historian, and such other officers as may be necessary from time to time, all of whom shall be selected in such manner as may be determined by resolution of the Convention adopted by a majority of all the delegates. The honorary president, president and vice-presidents shall be delegates and shall receive no additional compensation for services performed as officers. All officers and employees of the Convention, other than the honorary president, the president and the vice-presidents, shall be persons who are not delegates and their compensation shall be fixed by the president.

#### The President

Rule 4. Duties of Presiding Officer. The president shall preside at sessions of the Convention and of the Committee of the Whole, and exercise the usual powers and perform the usual

duties of a presiding officer. He shall preserve order and decorum and fairly assign floor rights. He may speak to points of order and, subject to an appeal to the Convention or to the Committee of the Whole, shall decide points of order.

**Rule 5. Appointment by the President.** The president, after consultation with the vice-presidents, and after giving due consideration to the requests of the various delegates, shall

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#### MARYLAND

appoint a chairman, and the members of all committees. All appointments shall be announced to the Convention and entered upon the Journal. Each committee shall elect one of its members to be the vice-chairman. The vice-chairman shall perform all the duties and functions of the chairman in the absence of the Chairman.

**Rule 6. Administration of Convention.** Except as otherwise provided the president shall appoint, and assign duties to, all employees of the Convention. The president, with the consent of the chairman of each standing committee, shall appoint the staff of such committee.

**Rule 7. Authority of President.** The president shall be chief executive of the Convention and all other officers and employees shall be responsible to his general supervision.

**Rule 8. Naming of the President Pro Tem.** The president may appoint any delegate to preside temporarily at any session of the Convention or of the Committee of the Whole, but not for longer than one day at a time without leave of the Convention.

**Rule 9. Voting.** The president may vote in all elections, on all divisions called for by any delegate, and on all questions taken by ayes and nays, except that the president may not vote twice, once to cause a tie vote and then again to break it.

#### MARYLAND

##### Vice-Presidents

**Rule 10. Powers and Duties.** If the president is temporarily absent or temporarily unable to preside, the first vice-president, or, in the absence or inability of the first vice-president to preside, the second vice-president, shall exercise the powers and perform the duties of the president and shall preside over the Convention or the Committee of the Whole, unless the president shall have designated another delegate as president pro tem for that session or that day. If a vacancy occurs in the office of president, the first vice-president shall temporarily exercise the powers of the office or president until the Convention elects a president to fill the office. If a vacancy occurs in the office of the first vice-president, the second vice-president shall succeed thereto. The Convention shall fill any vacancy in the office of second vice-president.

##### Secretary

**Rule 11. Responsibilities of the Secretary.** The secretary shall be the chief administrative officer of the Convention and shall be primarily responsible for its administration, under the direct authority of the president. The Secretary, under the supervision and authority of the president, shall be responsible for the employment and assignment of personnel, the supervision of a payroll, the registration of lobbyists or any special interest groups pursuant to any requirements imposed by rule or resolution of the Convention, and communications with the press. He shall be director of the Convention's budget and shall supervise the acquisition and care of facilities, services and supplies needed by the Convention.

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#### MARYLAND

The secretary shall also prepare, with the approval of the secretary of state, the proposal for the Convention and the form thereof, approved by the Convention, for submission to the electorate on May 14, 1966, or 1967, with Section 15 of Chapter 4 of the Acts of the General Assembly of 1967.

##### Chief Clerk

**Rule 12. Rules and Order.** The chief clerk shall, at the opening of each session of the Convention and the president shall announce whether or not a quorum is present.

**Rule 13. Journal and Transcript.** The chief clerk shall furnish to each delegate a copy of the journal of the proceedings of the Convention for the previous day which, when approved by the Convention, shall be the official journal of the Convention. The chief clerk shall also keep a verbatim record of the proceedings of sessions of the Convention and meetings of the Committee of the Whole.

**Rule 14. Order of Business.** The chief clerk shall furnish to each delegate the daily calendar and agenda of the business of each session of the Convention provided for by Rule 6D and a copy of each proposal as soon as practicable.

##### Sergeant at Arms

**Rule 15. Powers and Duties.** The sergeant at arms shall be the chief police officer of the Convention.

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#### MARYLAND

##### Parliamentarian

**Rule 16. Duties.** The parliamentarian shall be advisor and counsel to the presiding officer on all matters of parliamentary procedure; however, all parliamentary rulings shall be the responsibilities of, and shall be made by, the presiding officer.

##### Historian

**Rule 17. Duties.** The historian shall be responsible for collecting, compiling, documenting and preserving all proceedings of the Convention and its several committees. He shall also oversee the publication of any of the historical records and documents of the Convention.

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#### Part II, Chapter 2 COMPARATIVE REVIEW OF THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE PRESIDENT, VICE-PRESIDENTS, EMPLOYEES, OFFICERS, AND MEMBERS OF THE CONVENTION

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**Rule 18. The Convention's Rules and Order.** The president, after consultation with the vice-presidents, and after giving due consideration to the requests of the various delegates, shall

The secretary shall also prepare, with the approval of the secretary of state, the proposal for the Convention and the form thereof, approved by the Convention, for submission to the electorate on May 14, 1966, or 1967, with Section 15 of Chapter 4 of the Acts of the General Assembly of 1967.

## The President

### Duties of the President.

Rule 10. The president shall preside at the chair each day of the convention which the convention shall have adjourned or recessed. He shall call the convention to order and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

### Further duties of presiding officer.

Rule 11. The president shall preserve order and decorum; may speak to points of order and shall decide questions of order, subject to an appeal therefrom. Then 2 or more

## Vice Presidents

### Powers and Duties.

Rule 11. In the temporary absence of the president or his temporary inability to preside, one of the vice presidents designated by the president shall exercise the powers and perform the duties of the president, and shall preside over the convention, unless the president shall have designated a delegate to preside for that day.

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### Secretary

#### Roll call.

Rule 12. The secretary shall call the roll at the opening of each session of the convention and announce whether or not a quorum is present. He shall announce the names of the delegates absent without leave, and enter the names of all absentees upon the journal. If a voting machine is provided, vote by machine shall be taken whenever a roll call or a vote by yeas and nays is directed by or in accordance with these rules.

#### Invocation.

Rule 13. The secretary shall arrange for an invocation at the opening of each session of the convention.

Rule 14. The secretary shall keep a journal of the proceedings of the convention in conformity with the rules, supervise the daily publication thereof, and make such corrections as may be necessary. He shall furnish each delegate a printed copy of the proceedings of the previous day. The journal shall be considered the approved journal of the convention, unless otherwise ordered thereby. The convention reporter shall keep a verbatim record of convention proceedings and shall, within the time prescribed in his appointment by the convention, provide a verbatim transcript of all proceedings had in convention sessions and the sessions of the committee of the whole for duplication and distribution to interested persons.

#### Order of Business.

Rule 15. The secretary shall furnish each delegate daily with a calendar of the business on his desk under each order of business.

## MICHIGAN

## MICHIGAN

### Printing and Distribution of Delegate Proposals and Committee Proposals.

Rule 16. The secretary shall attend to the printing of all delegate proposals, committee proposals, resolutions, and document ordered printed by the convention. The secretary shall give to each proposal when introduced, a number, and the numbers shall be in numerical order. When proposals are reported back to committees, they shall be called committee proposals. All be printed, and shall be numbered in numerical order. The secretary shall cause to be printed at the head of the committee proposal the name of the committee which reported the same and the number and number of any report of the committee recommending the proposal. The secretary shall be responsible to the convention for the care and preservation of all proposals introduced into the convention and committee proposals. Committee proposals shall be kept on file in numerical order, unless otherwise ordered by the convention, and the secretary shall be liable for the order of the day.

Rule 17. Responsibility for constitution hall. The secretary shall exercise supervisory care and control of the hall of the convention and all convention rooms and equipment. The secretary shall acquire or rent all necessary equipment,

interfere with the orderly course of the proceedings of the session. Persons registered with the secretary of state as legislative agents shall be ineligible for constitutional convention press credentials.

### Naming of a Vice President.

Rule 18. The president may appoint any delegates to perform the duties of the chair, but not for a longer time than 2 days without leave of the convention.

### Naming of a Chairman of the Committee of the Whole.

Rule 19. When the convention shall have decided to go into the committee of the whole, the president shall name a chairman of the committee.

### Appeals.

Rule 20. The president may vote in any elections, on all questions called for by any delegate, and on all questions taken for yeas and nays, except on appeals from his decisions.

supplies, and postage and arrange for postal, telephone, and telegraph service.

Rule 18. Incapacity of Secretary. In case of the temporary inability of the secretary, from sickness or other cause, to perform the duties of his office, the assistant secretary shall act as secretary until the secretary is able to assume his duties.

#### MICHIGAN

##### Sergeant at Arms

Rule 19. Powers and Duties. The sergeant at arms shall be the chief police officer of the convention. He shall have charge of such assistants as the convention authorizes. He shall attend to the heating, lighting, and ventilation of the constitution hall, committee rooms, and connecting corridors. He shall have authority to serve subpoenas and warrants issued by the convention, or cause the same to be done by his assistants.

Rule 20. Duties. The directors of research shall supervise all research and drafting activities of the convention and supervise the employees of the convention engaged in research and drafting.

Rule 21. Appointment. The convention by resolution shall designate employee positions and job descriptions, provide salary scales, and provide for the appointment of employees by an officer of the convention or by a committee of the convention.

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#### Part II, Chapter 2

##### COMPARATIVE RESEARCH DATA: Officers, Employees, Duties NEW MEXICO

##### Officers

Rule 4. Officers of the Convention. The officers of the convention are the president, the first vice president, the second vice president, the third vice president and the fourth vice president. The president shall be elected from among the delegates by a secret vote of a majority of all the delegates elected to the convention. The president shall appoint a first, second, third and fourth vice president from among the delegates and such vice presidents shall not serve as committee chairmen.

The officers of the convention shall receive no additional compensation for their duties.

Rule 5. Employees of the Convention. The employees of the convention consist of the chief clerk, the sergeant at arms, the parliamentarian, the journal clerks and such other employees as may be necessary to aid the convention in its work. The number, classification and compensation of employees shall be determined by the president.

Rule 6. Staff Assistance to the Convention. Staff assistance to the convention provided by the legislative council service and the attorney general shall be coordinated by the president and the agency head. A staff member of the assisting agency may be permitted on the floor of the convention upon request of the president, if the convention business under consideration at that time requires his presence.

#### NEW MEXICO

##### President

- Article 1 of the President. The president shall:
1. preside at all sessions of the convention and perform all duties usually possessed and performed by presiding officers of constituent assemblies;
  2. preserve order and decorum;
  3. speak to points of order and, subject to an appeal to the convention, decide all points of order;
  4. in consultation with the vice president, appoint the chairman, vice chairman and members of all committees;
  5. appoint and assign duties to all employees of the convention where vacancies or need occurs;
  6. be the chief executive of the convention and have general supervision of all officers and employees; and
  7. assign the use of committee rooms and other facilities of the convention.

Rule 8. Temporary Presiding Officers. The president may appoint any delegate to preside temporarily at any session of the convention, but for not longer than one day without leave of the convention. The president shall name a delegate to serve as chairman of the committee of the whole but not for longer than one day.

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#### NEW MEXICO

Rule 9. Vacancies. In the event of a vacancy in the office of president by death, resignation or otherwise, the convention shall, by majority vote of those delegates elected to the convention, elect a president to fill the vacancy.

Rule 10. Voting by President. The president shall vote in all roll calls, and his name shall be called last by the chief clerk.

Rule 11. Vice Presidents. The vice presidents shall assist the president in the performance of his duties. In the temporary absence of the president, or in the event of his temporary inability to preside, his duties shall devolve upon the first vice president, or if the first vice president is also absent or unable to preside, upon the second vice president, or if the second vice president is also absent or unable to preside, upon the third vice president, or if the third vice president is also absent or unable to preside, upon the fourth vice president. As used in this rule, "temporary inability" means an absence or inability not to exceed five consecutive days.

Rule 12. Chief Clerk. The chief clerk is the chief administrative officer of the convention and is primarily responsible for its administration under the direction of the president. The chief clerk, under the supervision and direction of the president, is responsible for the enrollment and assignment of personnel and supervision of the payroll and accounting. He shall also prepare the convention's budget and submit it to the executive and legislative committees and approve expenditures of the convention.

# NEW MEXICO

The chief clerk shall also:

(1) call the roll at the opening of each session of the convention, after which the president shall announce whether or not a quorum is present;

(2) prepare and place on the desk of each delegate a calendar of the business of the convention for each day, as provided in these rules;

(3) prepare for reproduction all reports and committee proposals and other documents which are required to be reproduced by the convention;

(4) preserve all proposals, reports of committees and other records, books, documents and papers of the convention, after the adjournment of the convention, deliver them for deposit and preservation in the state archives; and

(5) cause and supervise the keeping and preparation of a journal of the proceedings of the convention.

Rule 13. Sergeant at Arms. The sergeant at arms shall perform his duties subject to the supervision of the chief clerk. He and his authorized assistants shall be in constant attendance upon the sessions of the convention and in the lobbies, gallery and passages and rooms connected therewith, and in the committee rooms when a committee is in session. The sergeant at arms shall see that no person is admitted to or remains on the floor of the convention unless entitled to the privileges thereof. He shall execute the orders of the president and of the convention together with all processes issued by the convention.

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# NEW MEXICO

Rule 14. Parliamentarian. The parliamentarian of the convention is the advisor to the presiding officer and to each committee chairman on all matters of parliamentary law. The parliamentarian shall not be a delegate of the convention and shall be a person learned in parliamentary law. All parliamentary rulings, however, are the responsibility of, and shall be made by, the presiding officer.

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## Part II, Chapter 2 COMPARATIVE RESEARCH DATA: Officers, Employees, Duties PENNSYLVANIA

Rule 1. Election of Officers. The convention shall elect from among its delegates a President, a First Vice President, a Second Vice President and a Secretary. The President and the Second Vice President shall be from one political party different from that of the First Vice President and the Secretary. The Convention shall, by resolution or recommendation, appoint such other officers and employees it deems necessary for the proper conduct of the Convention.

Rule 5. The President. The President shall take the Chair each day at the hour to which the Convention shall have adjourned. He shall call the Convention to order and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

The President shall possess the powers and perform the duties herein prescribed:

1. He shall preserve order and decorum, and in debate shall prevent personal reflections and shall confine delegates to the question under discussion. When two or more delegates rise at the same time, he shall name the one entitled to the floor.

In case of any disturbance or disorderly conduct on the floor or in the galleries or lobbies, he shall have the power to order the same to be cleared.

2. He shall decide all questions of order, subject to appeal by the Convention. No debate shall be allowed on questions of order unless there be an appeal. On every appeal he shall have the right to state his reasons for his decision. In case of such appeal no member shall speak more than once unless by permission of the Convention. On the question of appeal a majority (82) of the Delegates shall be necessary to override a decision by the President.

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# PENNSYLVANIA

3. He shall, after consultation with the Vice Presidents and Secretary, appoint all committees, except where the Convention shall otherwise order.

Each committee shall be composed of delegates from each political party and shall be as nearly bipartisan as possible. The first two delegates named to each committee shall be of different political parties, and shall be designated as co-chairmen.

4. He may authorize any delegate to perform the duties of the Chair, but for no longer than that day.

5. When necessary or required, he shall, with the Secretary, certify all official acts including proposals and reports approved by the Convention.

6. He shall sign all requisitions upon the State Treasurer and all vouchers for payment of expenditures.

7. He shall designate and assign, or authorize the designation of available seating and movement of the persons who shall act as news-media representatives within the Convention Hall and committee rooms. Any news-media representative called to order must return to his assigned seat or area immediately. Refusal to do so shall be sufficient cause for the removal of such representative for the duration of the convention. He shall authorize the taking of photographs at session and committee meetings of the Convention subject to the following conditions:

a. The authorization given by the President shall apply only to photographers from, or employed by, accredited newspaper or wire services, and newswire or television photographers.

b. The authorization shall extend to all sessions of the Convention and all committee meetings, but shall not extend to executive meetings of such committees.

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# PENNSYLVANIA

c. Sound-on-film cameras, and other cameras not in the portable category, shall be permitted in the well and the two front corners of the Convention Hall and in the committee room; in such areas as the committee co-chairman shall determine. Such cameras shall not be assembled, disassembled or removed while the Convention or committees are in session.

d. To the extent practical, a flash apparatus shall not be used.

e. Photographs authorized to be taken shall be in such manner as to cause the least possible inconvenience to the Convention or the committees.

f. Any photographer called to order by the presiding officer or any delegate must return to his assigned seat or area immediately. Refusal to do so shall be sufficient cause for the removal of such representative for the duration of the convention.

8. He shall be a member ex-officio without vote on all committees.

9. He shall declare the vote and announce the result according to the fact on all questions and divisions.

10. He shall not engage in any debate, or propose his opinion on any question, except the assignments of his reasons for his decisions on any appeal therefrom, without first calling some Delegate to occupy the chair.

11. As a Delegate, he shall have the right to vote on any matter coming before the Convention in the same manner authorized for other Delegates.
12. He shall have authority, subject to approval by the committee on Administration and Finance, to appoint employees. He shall also have the authority to suspend or dismiss any employees for misconduct, incompetency, insubordination or dereliction of duty subject to approval of a majority of the members of the Committee on Administration and Finance. Such decision of the committee shall be made within three Convention Days after referral of such matter to them by the President.

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#### PENNSYLVANIA

##### President

Rule 10. Vacancy, Absence or Inability to Serve. In the event of a vacancy in the office of the President by death or resignation the First Vice President shall temporarily serve as First Vice President until a new First Vice President is elected by the Convention. In the event of the absence or inability of the First Vice President, the Second Vice President shall serve as acting First Vice President during such absence or inability to serve.

##### Second Vice President

In the event of a vacancy in the office of the Second Vice President by death or resignation the Secretary shall serve temporarily as Second Vice President until a new Second Vice President is elected by the Convention. In the event of the absence or inability of the Second Vice President, the Secretary shall serve as acting Second Vice President during such absence or inability to serve.

##### Secretary

In the event of the vacancy in the office of Secretary by death or resignation the Convention shall elect a new Secretary.

Rule 11. The Secretary - Powers and Duties. The Secretary shall, with the President, when necessary or required, certify all official acts including the proposals or reports approved by the Convention and shall perform such other duties as may be required by law or by the Convention.

In the event of the temporary absence of the Secretary, or in the event of his temporary inability to perform his duties, the President shall designate a Delegate as Acting Secretary from the same political party as the Secretary, to serve until the return of the Secretary.

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#### PENNSYLVANIA

##### Rule 12. Election Contests and Filling of Vacancies.

- The Convention shall be the judge of the election and qualifications of its members.
- In the case of a vacancy in the office of Delegate, if the Delegate is an ex-officio member, the vacancy shall be filled by the person assuming the office.
- In the case of vacancy in the office of an elected Delegate, the remaining Delegates of that political party shall elect a successor meeting the qualifications prescribed in subsection (b) of Section 2 of the Act of 1967 which provides:

"Delegates shall be at least twenty-one years of age and shall have been citizens and residents of the State for at least four years. Delegates shall have resided in and been a registered elector of their respective senatorial districts one year next before their election, and shall reside in their respective senatorial districts during their term of service."

- A question of the election, returns or qualifications of any Delegate shall be referred to the Rules Committee for investigation and report.

##### Rule 13. Sergeant-at-Arms - Duties.

- He shall attend the Convention during its meetings, preserve order and serve all processes issued by authority of the Convention and directed by the President. He shall receive his actual expenses for himself or for an assistant when executing any such processes.

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#### PENNSYLVANIA

- He shall see that no person is admitted to the Convention Hall, except in accordance with the provisions of the rules.

- He shall have general supervision over the Assistant Sergeant-at-Arms, and shall be responsible for their official acts and their performance and regular attendance upon their duties.

- He shall have such other duties as may be assigned to him by the President.

##### Rule 14. Official Reporters - Duties.

- There shall be present on the floor of the Convention at least one official reporter during the sessions. They shall record and transcribe, or shall cause the entire proceedings of the Convention to be recorded and transcribed, as concisely as possible, care being taken to record a true and accurate account of the proceedings. These proceedings shall be entered in the Journal of the Convention.

- They shall include in the Journal:

- the number, sponsor(s) and text of every proposal introduced
- all resolutions in full
- motions
- amendment(s)
- debate in full
- questions of order with decisions

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#### PENNSYLVANIA

- messages
- reports
- votes (roll call and voice)

- They shall file in the Office of the Secretary on the day following such proceedings, or as soon thereafter as possible, a complete transcript of the debate, at which time each Delegate shall have the right to edit his remarks, if done within two succeeding Convention Days.

- They shall deliver such edited transcript of the debate for the printing of the daily Journal.

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#### Part II, Chapter 3 COMPARATIVE RESEARCH DATA:

##### Delegates

Part II, Chapter 3  
COMPARATIVE RESEARCH DATA: Delegates  
UNIVERSITY

##### 1967 Convention Rule

##### Delegates and Representatives - Duties

Rule No. 15. Members Shall Attend Meetings

##### Attendance Requirements

Every Member shall be present at the following meetings:

during the language, no member shall leave his assigned station. Any member who fails to observe this rule shall be subject to censure. The President shall have the right to ask questions of members, and no member shall be permitted to answer any question unless he has been called upon to do so by the President. The President shall have the right to ask questions of members, and no member shall be permitted to answer any question unless he has been called upon to do so by the President. The President shall have the right to ask questions of members, and no member shall be permitted to answer any question unless he has been called upon to do so by the President.

Rule No. 15. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

Rule No. 16. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

Rule No. 17. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

#### LOUISIANA

Rule No. 18. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

Rule No. 19. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

Rule No. 20. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

Rule No. 21. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

Rule No. 22. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

#### LOUISIANA

Rule No. 23. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

Rule No. 24. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may extenuate or justify.

proceedings; second, the rights, reputation, and conduct of Members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to recess or adjourn.

#### Act 166 of 1956

Section 4 (2). "...the temporary president shall administer the following oath:

"I hereby solemnly swear that I will support the constitution and laws of the United States; that I will well and faithfully perform all duties as a member of this convention and that I will observe and obey the provisions of the Act under which the convention has assembled, So Help Me God."

No delegate shall be qualified to act unless and until he shall have taken and subscribed to the said oath..."

(3). The delegates to said convention shall receive thirty dollars per diem, and ten cents per mile for travel in connection with the work of the convention.

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#### LOUISIANA

#### 1872 Senate Rules

Rule No. 4. Rules in Speaking Debate. Senators speaking shall address the President, and when presenting a paper shall first state its import. Senators shall not speak more than twice on any question, without permission of the Senate, nor be interrupted when speaking except by a call to order by the President, or by a Senator through the President; provided, that the mover of a motion, and the introducer of a resolution or bill, shall have the privilege of opening the debate thereon, and shall likewise have the privilege of closing the debate, even after the previous question has been demanded and ordered.

The Senate may at any time, by a majority vote, limit debate so that no Senator shall be permitted to speak longer than one hour at one time without permission of the Senate, and a motion to that effect shall be in order at any time, taking precedence over every other motion, except a motion to adjourn.

Rule No. 10. Call to Order and Appeal. If any Senator, in speaking or otherwise, transgresses the rules of the Senate the presiding officer shall, or any Senator may call him to order; and when a Senator shall have been called to order by the presiding officer, or a Senator, he shall sit down, and shall not proceed without leave of the Senate.

8. Every question of order shall be decided by the presiding officer, without debate, subject to an appeal to the Senate. When an appeal is taken from the decision of the presiding officer, the decision of the presiding officer shall be overruled only if a majority of the elected members of the Senate vote to overrule his decision. The presiding officer may call for the sense of the Senate on any question of order, but when an appeal shall have been taken from the decision of the presiding officer, any

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#### LOUISIANA

subsequent question of order, which may arise before the decision of such appeal by the Senate, shall be decided by the presiding officer without debate, and every appeal therefrom shall also be decided at once, and without debate.

Rule No. 11. Exceptionable Words. If a Senator be called to order by another for words spoken, the exceptionable words shall immediately be taken down in writing that the presiding officer may be better able to judge the matter.

Rule No. 12. Penalties for Violating Confidence of Senate. Any Senator or officer of the Senate who shall disclose the secret of confidential business or proceedings of the Senate shall be liable, if a Senator, to suffer expulsion from the body, and if an officer, to dismissal from the service of the Senate and to punishment for contempt.



Rule No. 60. Oaths of Office. The oaths or affirmations prescribed by the Constitution shall be taken and subscribed by every Senator, in open Senate, before entering upon his duties. They shall also be taken and subscribed in the same way by the Secretary of the Senate, but the other officers of the Senate may take and subscribe them in the office of the Secretary.

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#### Part II, Chapter 3

#### COMPARATIVE RESEARCH DATA: Delegates ARKANSAS

Rule 20. Conduct in Debate. When any delegate is about to speak in debate or present any matter to the Convention, he shall rise and address himself to "Mr. President," he shall not speak until recognized and when recognized, he shall confine himself to the question under debate, and avoid personalities.

Rule 21. Delegates Called to Order. If any delegate in speaking transgresses the rules of the Convention, the President shall call him to order; in which case that delegate shall immediately sit down and shall not rise unless to explain or proceed in order.

Rule 22. Times Delegates May Speak. No delegate may speak more than once on the same question without leave of the President or of a majority of those present and voting, unless he be the mover of the matter pending or chairman of the committee that reported it; in which case he shall be privileged to speak twice.

Rule 23. Conduct on the Floor. While the President is putting any question, or while the roll is being called or taken by the secretary, no delegate shall walk out; nor shall any delegate engage in discourteous conduct at any time.

Rule 24. Contest of Elections. No protest or petition contesting the election of any delegate shall be received or considered unless filed within ten days after the adoption of this rule.

Rule 25. Vacancies. When a delegate shall fail to answer roll call at opening sessions for fifteen consecutive sessions, the position may be declared vacant by the Convention and the vacancy filled as provided in Section 3 of Act 42 of the First

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#### ARKANSAS

Extraordinary Session of the 66th General Assembly of Arkansas, 1968. The person so appointed shall serve for the remainder of the convention, or until such time as the originally elected delegate shall appear before the Convention and be reinstated by the Convention.

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#### Part II, Chapter 3

#### Comparative Research Data: Delegates

#### HAWAII

(No Comparable Provisions)

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#### COMPARATIVE RESEARCH DATA: Delegates

#### INDIANA

Rule 20. Conduct in Debate.

When a member is about to speak or present a matter to the

Convention, he shall rise and address himself to the President. He shall not speak until recognized, and when recognized, he shall confine himself to the question under debate, and avoid personalities.

Rule 21. Delegates Called to Order. If any delegate in speaking transgresses the rules of the Convention, the President shall call him to order; in which case that delegate shall immediately sit down and shall not rise unless to explain or proceed in order.

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Rule 24. Contest of Elections. No protest or petition contesting the election of any delegate shall be received or considered unless filed within ten days after the adoption of this rule.

Rule 25. Vacancies. When a delegate shall fail to answer roll call at opening sessions for fifteen consecutive sessions, the position may be declared vacant by the Convention and the vacancy filled as provided in Section 3 of Act 42 of the First

Extraordinary Session of the 66th General Assembly of Arkansas, 1968. The person so appointed shall serve for the remainder of the convention, or until such time as the originally elected delegate shall appear before the Convention and be reinstated by the Convention.

Rule 26. Resignation. A delegate may resign at any time by filing a written resignation with the Secretary of the Convention. The resignation shall take effect when read by the President.

Rule 27. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 28. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 29. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 30. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 31. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

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Rule 33. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 34. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 35. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 36. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 37. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 38. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 39. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 40. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.

Rule 41. Unexcused Absence. If a delegate fails to appear at the Convention for three consecutive sessions without leave of absence, his position shall be declared vacant by the Convention.





Rule 11. Assignment of Seats. Delegates to the Convention shall be assigned desks in the Hall of the House of Representatives alphabetically beginning with Seat No.

Rule 12. Election contests and Filling of Vacancies.

1. The Convention shall be the judge of the election and qualifications of its members.
2. In case of a vacancy in the office of Delegate, if the Delegate is an ex-officio member, the vacancy shall be filled by the person assuming the office.
3. In the case of vacancy in the office of an elected Delegate, the remaining Delegates at that political party shall elect a successor meeting the qualifications prescribed in subsection (b) of Section 2 of the Act of 1967 which provides:

"Delegates shall be at least twenty-one years of age and shall have been citizens and residents of the State for at least four years. Delegates shall have resided in and been a registered elector of their respective senatorial districts one year next before their election, and shall reside in their respective senatorial districts during their term of service."

4. A question of the election, returns or qualifications of a Delegate shall be referred to the Rules Committee for investigation and report.

Right, Privilege of Delegates

Rule 14. Delegates Must Be Present, Unless Excused.

Every delegate shall be present at the Convention Hall during its sessions, unless previously excused or prevented.

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from attending by illness or other sufficient cause, and shall vote on each question stated by the chair unless excused under the provisions of Rule 14. It shall be the duty of any Delegate to report to the Secretary of the Convention the cause for his absence.

Recognition by President

When a Delegate desires to address the Convention, he shall rise and respectfully address himself to "Mr. President." Upon recognition, he may speak, confine himself to the question under consideration. When two or more Delegates rise at the same time, the President shall designate the Delegate who is entitled to the floor. Such decision shall not be subject to appeal.

Personal Explanation

Any Delegate may rise to explain a matter personal to himself and shall be recognized by the President, but he shall not discuss a question in such explanation. The question of personal privilege shall be limited to questions affecting the rights, reputation and conduct of the Delegates in their capacity as Delegates.

Calling Delegates to Order

If any Delegate transgresses the Rules of the Convention in any way, the President, Hall, or any Delegate may, call the offending Delegate to order. A Delegate so called to order shall immediately take his seat until the President, without debate, shall have determined whether or not he is in order.

PENNSYLVANIA

Such decision by the President shall be subject to an

appeal to the Convention. If the decision is in his favor, he shall be at liberty to proceed; if otherwise, he shall not proceed without leave of the Convention.

Offensive Words

If any Delegate is called to order for offensive words spoken in debate, the Delegate calling him to order shall state to the Convention the words to which exception is taken. If a majority of the Delegates present decide the words are offensive, they shall be stricken from the Journal.

Disorderly Conduct

Whenever any Delegate is called to order and such Delegate fails to sit down and be in order, but continues to be disorderly, it shall be the duty of the Sergeant-at-Arms and/or his assistants, upon the direction of the President, to require such Delegate to take his seat and be in order. Any Delegate who persists in disorderly conduct after being warned by the President may, by motion duly made and carried by a majority of the Delegates present, be required to purge himself of such misconduct; and until such Delegate has purged himself, he shall not be entitled to the privileges of the floor.

Interruption While Speaking Prohibited; (Exceptions)

While a Delegate has the floor, no other Delegate shall interrupt him or otherwise interrupt the business of the Convention, except for the purpose of making a point of order,

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PENNSYLVANIA

or to move the previous question, or to demand that a point of order be immediately decided.

Arrest and Questioning Restricted

Every delegate shall in all cases, except treason, felony, violation of their oath of office, and breach of surety of the peace, be privileged from arrest during their attendance at the session of the Convention and in going to and returning from the same; and shall not be questioned in any other place for any speech or debate in the Convention or in any proceeding directly connected therewith.

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Part II, Chapter 4  
COMPARATIVE RESEARCH DATA:  
Proposals

Part II, Chapter 4  
COMPARATIVE RESEARCH DATA: Proposals

LOUISIANA

Ordinances and Rules

Ordinances

Article 51. Ordinances Must Be Written Legibly. All ordinances, resolutions, reports or other documents presented to the Convention shall be legibly written or typewritten in English.

Article 52. Reference on Second Reading. No ordinance shall be referred to a committee or amended until it has been read twice.

Article 53. Ordinances to Be Read Three Times and Once by Title. Every ordinance or proposition intended to become a provision in the Constitution shall be read on three separate days before being placed on final passage, provided no ordinance shall be passed to third reading until it has been printed in full and laid on the desk of each member for two days. The first

and second readings may be by title only, but it shall be read in full on final passage.

## LOUISIANA

Rule No. 54, Ordinances, Etc., Cannot Be Amended on Third Reading Unless By Unanimous Consent. The final question upon the second reading of ordinances or resolutions, requiring three separate readings previous to final passage, shall be whether they shall be engrossed and passed to third reading; and no amendment shall be received at the final passage of an ordinance or resolution, unless by unanimous consent of the Members present; but it shall be in order before the final passage of any ordinance or resolution to move recommitment there to.

Rule No. 55. Majority Vote Required on Final Passage.  
The yeas and nays shall be called on the final passage of all ordinances or propositions to be incorporated in the Constitution, and no ordinance or article shall be passed or adopted unless a majority of the entire Membership of the Convention shall vote in the affirmative thereon.

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## LOUISIANA

Rule No. 56. Tabling Amendment Does Not Carry Ordinance, etc.  
When an ordinance or resolution is pending, an amendment to same may be laid on the table without prejudice to the ordinance or resolution.

Rule No. 57. Ordinances, Etc., Taken Up in Numerical Order.  
All ordinances or resolutions shall be numbered by the Secretary on their introduction, and thereafter they shall be taken up and acted on in numerical order.

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## LOUISIANA

## 1977 Senate Rules

or Printing of Bills. All Bills or joint resolutions shall be printed or typewritten when presented, and shall be accompanied by four copies. The Secretaries of the Senate shall cause all bills to be printed, unless otherwise ordered by the Senate, and a copy of the same laid on the desk of each member, at least two days prior to its being acted on by the Senate, except during the last ten days of the session, when one day shall be sufficient.

2. Bills and Joint Resolutions. Every bill and joint resolution shall receive three readings previous to being passed, and the presiding officer or Secretary shall give notice whether it be first, second or third, which reading shall be on three different days. And all resolutions proposing amendments to the constitution, or to which the signature of the Governor may be requisite, shall be treated, in all respects in the introduction and form of proceeding on them in the Senate, in the same manner as bills; and all their resolutions and reports of committees shall lie on the table one day for consideration.

43. Commitment. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it shall be referred to a committee.

to final question. The final question upon the second reading of every bill, resolution or constitutional amendment originating in the Senate, and requiring three readings previous to being passed shall be whether it shall be engrossed and read a third time, however, it shall at all times be in order before the final passage of any such bill, resolution or constitutional amendment, to have its commitment, should such commitment take place and any amendment be reported by the committee, the said bill, resolution or constitutional amendment shall be again read a second time, and may be considered and debated, and then the aforesaid question shall be read again.

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## 16. Amendments to Appropriation Bills. (a) On or

Amendment proposed to the Constitution is under consideration. The concurrence of two-thirds of the members present shall be requisite to decide any question for amendments or extensions to the merits being short of the final question.

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## Part 11, Chapter 4

## COMPARATIVE RESEARCH DATA: Proposals

## ARKANSAS

4. Consideration by the Committee of this reading, and passage of any complete revision by it is an act as a whole, or in the case of any amendment by section as a whole.

The convention at any time may refer in particular either matter to any committee including committees of the whole.

Rule No. 9, It is the duty of the local committee  
- it delegate proposals introduced by them. J. J. stated that  
- mention first sentence in Article 10, "it will be the duty of  
- the convention before it after the 10th of the substantially  
- committee assigned prior to the meeting of the committee  
- this report shall be made within 30 days of the meeting of the  
- referred to that committee.

## Part 11, chapter 3

[1995] *Am. J. Math.* **117**, 1071–1085. MR1341111 (95d:11031)





Part II, Chapter 4  
COMPARATIVE RESEARCH DATA: Proposals  
MICHIGAN

Rule No. 37 (as amended). Introduction. All matters intended to be a part of any revised constitution or constitutional amendment shall be introduced by a delegate or delegates in the form of a proposal and endorsed by the delegate or delegates introducing them, or shall originate as committee proposals. Five copies of any proposal shall be handed to the secretary not later than 3 hours prior to calling the convention to order. All proposals shall be introduced in accordance with the form prescribed by the secretary. Proposals shall be printed and distributed under the direction of the secretary.

Rule No. 38 (as amended). Order of Consideration. The regular order to be taken in proposals introduced in the convention shall be as follows:

1. Introduction, first reading by title, reference to a committee by the president, and ordered printed and distributed unless otherwise ordered by a majority of the delegates present.
2. Report of committee and placing on the general orders.
3. Consideration in committee of the whole in order of reference.
4. Report by the committee of the whole and reference to the committee on style and drafting.
5. Report of committee on style and drafting.
6. Second reading, vote on passage.
7. Re-reference to committee on style and drafting for incorporation in final draft.
8. Report by committee on style and drafting of any complete revision of or proposed amendment to the constitution.
9. Third reading and passage of any complete revision by article and as a whole or in the case of any amendment by sections and as a whole.

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Part II, Chapter 4  
COMPARATIVE RESEARCH DATA: Proposals  
NEW MEXICO

Rule No. 37. Delegate Proposals.

A. A proposal for revising, altering or reforming the present constitution in any manner may be filed by one or more delegates in the office of the chief clerk and referred by the president, in consultation with the vice presidents, to the standing committee considering the article to which the proposal pertains, subject to appeal to the convention.

B. The committee shall permit each delegate who sponsors a proposal to appear and testify on behalf of his proposal.

Rule No. 38. A. Each committee proposal recommending any matter for incorporation in the constitution shall contain a complete article, other subdivision or groups of articles or subdivisions of the constitution. In the discretion of the committee, the proposed article or articles recommended to the convention may contain controversial sections stated in the alternative for presentation to the voters of the state.

Rule No. 39. Form of Proposals.

A. Each proposal shall be submitted in an original and five copies.

B. Each proposal shall be typewritten on 8-1/2" x 11" white paper, double-spaced and with lines numbered from 1 to 25.

C. Each proposal shall be endorsed on the first page by the signature of the delegate filing it, or by the chairman of the committee reporting it as a committee proposal to the convention.

D. Delegate proposals may be informal and need only contain sufficient information to enable the committee to consider its merits. All delegates' proposals shall contain footnote references to the general part of the constitution to which it applies, such as executive, legislative, or other appropriate designation, and the article and section of the existing constitution which will be amended or replaced by the adoption of the proposal.

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NEW MEXICO

1. The caption of each proposal shall be:

"STATE OF NEW MEXICO  
OFFICIAL CONVENTION OF 1969"

Proposed by Standing Committee on \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(Delegate) (Chairman)  
Date \_\_\_\_\_

Rule No. 40. Disposition of Copies.

A. Copies of delegate proposals shall be distributed as follows:

- (1) two copies shall be filed in the office of the chief clerk of the convention;
- (2) one copy shall be for the press secretary of the convention, who shall provide additional copies for the press as needed;
- (3) one copy shall be filed in the convention library; and
- (4) the original and one copy shall be placed in the committee's files; provided the committee secretary shall have sufficient copies of the delegate proposal reproduced for the use of the committee members.

B. Copies of committee proposals shall be distributed to the committee secretary as follows:

- (1) the original and one copy shall be filed with the chief clerk; the original to be retained by the chief clerk and sent to the committee secretary together with any amendments made by the committee of the whole;
- (2) one copy shall be for the press secretary;
- (3) one copy shall be filed in the convention library;
- (4) one copy shall be for reproduction purposes; and
- (5) one copy shall be retained in the committee's files.

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NEW MEXICO

Rule No. 41. Time limit on Filing Proposals with Committee. No delegate proposal shall be filed with or accepted by any standing committee of the convention later than August 25, 1969.

Rule No. 42. Committee Report Deadline. At such dates as may be convenient and no later than September 11, 1969, each standing committee shall submit to the convention its report and proposals.

Rule No. 43. Order of Consideration of Proposals. The prescribed order in which proposals pending before the convention are to be taken up or acted upon shall be as follows:

- A. Filing of delegate proposals with the chief clerk.
- B. Conduct of committee hearings and meetings.
- C. Report of the committee proposals by the committee, acceptance and placing on General Orders of the Day and reproduction by chief clerk.



D. Consideration, debate and amendment by committee of the whole in the order placed on General Orders of the Day.

E. Report by the committee of the whole and reference to the committee of the whole for recommendations as to drafting, style and phraseology only.

F. Report by the committee of the whole as to drafting, style and phraseology only, second reading and again such report debate as to only drafting, style and phraseology should be allowed.

G. Re-reference to the committee of the whole for arrangement and incorporation in final recommendation or recommendations of the convention.

H. Report by the committee of the whole of final recommendation or recommendations of the convention, third reading and final passage.

I. Reference to the committee of the whole for engrossing and enrolling.

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#### NEW MEXICO

1. Report of the committee of the whole of engrossed and enrolled recommendations, official signing of typed or printed document or documents to the President, delegates of the convention and chief clerk, and the affixing of the great seal of the state by the secretary of state.

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#### Part II, Chapter 4 COMPARATIVE RESEARCH DATA: Proposals

##### PENNSYLVANIA

Rule No. 21. Deadline for Introduction of Proposals. After January 5, 1968, no Delegate proposal shall be introduced, numbered or printed, except upon consent of a majority (two-thirds) of the Delegates; except that any Delegate proposal in preparation on the above date may be introduced when it is received from the Convention Drafting Bureau as designated by the Committee on Administration and Finance. This shall not prevent any Delegate from thereafter submitting to the appropriate committee any suggestion for revision of the Constitution and, if so requested in writing by any Delegate, said committee shall acknowledge in its Action Journal its receipt of any such suggestion.

##### Rule No. 25. Introduction of Proposals.

1. Definition. Every suggested amendment or revision of the Constitution shall be referred to as a proposal.

2. Introduction-Sponsorship. A proposal may be introduced only by a Delegate or Delegates and endorsed by the Delegate or Delegates introducing there of by the chairman of a committee on behalf of a majority of such committee and endorsed by them.

3. Introduction-Procedure. The procedure for introducing a proposal by a Delegate shall be as follows:

(a) A Delegate shall go to a microphone and, upon recognition by the President, say, "Mr. President, I read in place and present to the Chair the following proposal," and hand the proposal to a page.

(b) A Delegate may, at the time of introducing a proposal, take a statement not exceeding three minutes, to explain briefly his proposal, and then present a written statement which shall be entered in the Journal.

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##### PENNSYLVANIA

4. Title to Clearly State Subject. The title of every proposal introduced shall state clearly its subject and purpose. It shall indicate the Article, Section and paragraph of the present constitution intended to be revised, altered or amended thereby. If any proposal is intended to revise, alter or amend the present constitution by the addition of an Article, Section or paragraph, the title shall state the place in the present constitution at which the new Article, Section or paragraph locally belongs.

5. Items Which are Proposed to be Eliminated from the Existing Articles of the Constitution shall be in Italicized Brackets; new matter shall be underlined.

6. Introduced in Quadruplicate. Every proposal shall be introduced in quadruplicate.

7. Referral to Committee. The President shall report to the Convention the Standing Committee to which each proposal has been referred either on the day of introduction or the next day the Convention is in session. The Chairmen of each Standing Committee shall in turn refer the proposal to its appropriate subcommittee as designated hereafter created by these rules. Such referral shall be either on the day received from the President or the next day the Convention is in session and notice of such referral be given by the Chairmen to the Convention.

8. Restrictions on Introduction. No proposal shall be accepted for introduction by the President unless:

(a) said proposal is in accordance with the limitations set forth in Article 1, Session of 1967; and

(b) said proposal has been prepared by the convention drafting bureau designated by the Committee on Administration and Finance to draft proposals prior to their introduction.

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##### PENNSYLVANIA

9. Introduction-Procedure. The procedure for introducing a proposal by a Delegate shall be as follows:

(a) A Delegate shall go to a microphone and,

upon recognition by the President, say, "Mr. President,

I read in place and present to the Chair the following proposal,"

and hand the proposal to a page.

(b) A Delegate may, at the time of introducing a proposal,

take a statement not exceeding three minutes, to explain briefly his proposal, and then

present a written statement which shall be entered in the Journal.

10. Introduction-Procedure. The procedure for

introducing a proposal by a Delegate shall be as follows:

(a) A Delegate shall go to a microphone and,

upon recognition by the President, say, "Mr. President,

I read in place and present to the Chair the following proposal,"

and hand the proposal to a page.

(b) A Delegate may, at the time of introducing a proposal,

take a statement not exceeding three minutes, to explain briefly his proposal, and then

present a written statement which shall be entered in the Journal.

11. Introduction-Procedure. The procedure for

introducing a proposal by a Delegate shall be as follows:

(a) A Delegate shall go to a microphone and,

upon recognition by the President, say, "Mr. President,

I read in place and present to the Chair the following proposal,"

and hand the proposal to a page.





specific and detailed assignment of work by reference to the Project for each committee is shown on a separate chart which follows this discussion.

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#### LOUISIANA

Each of these seven committees shall have a chairman and a clerk. The number of committees for which committees have been arbitrarily fixed on the assumption of a convention of 125 delegates, the number of delegates determined on the basis of the 1921 convention.

General Committee: Three general committees are suggested for purposes of general supervision and coordination of the work.

(a) Committee on Calendar, Rules, and Research. This committee should formulate the rules of procedure, prepare the calendar, and determine priority of requests for research. Its function, generally, should be to supervise the working of the convention.

Its chairman should be the second vice president of the convention, with no other duties except to preside over the convention in the absence of the president and the first vice president. An assistant secretary of the convention should be its secretary. It should consist of seven members, one member from each of the drafting committees.

The effectiveness of the convention will, to some extent, be determined by the extent to which pertinent information can be secured by individuals and committees of the convention. It is assumed that the experience of the law Institute and the time spent with the preparation of the Project will be utilized to the maximum.

(b) Style and Revision Committee. This committee should formulate all rules and decide all questions relating to style. All separate ordinances or drafts of parts of the constitution should be first submitted to this committee. It should have the responsibility of preparing the final draft of the completed constitution.

Its chairman should be the third vice president, with no other duties except to preside over the convention in the absence of the president and first and second vice presidents. Its secretary should be one of the assistant secretaries of the convention.

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#### LOUISIANA

It should consist of seven members, one selected from each of the working committees.

(c) Legislative Liaison Committee. If the convention adopts a constitution appreciably shorter than the present constitution, a large part of the omitted material must be enacted as part of the revised statutes. This problem should be the subject of continuing and concurrent study made by this committee to the end that implementary and supplementary legislation may be prepared and proposed to an extraordinary session of the legislature, which must necessarily follow the adjournment of the constitutional convention.

This committee, therefore, should not be confined to the members of the constitutional convention. It should consist of not less than fourteen members, excluding the chairman. One member should be selected from each of the drafting committees. Four members should be selected from the house of representatives by the speaker thereof and three from the senate by the lieutenant governor, and they need not be members of the convention.

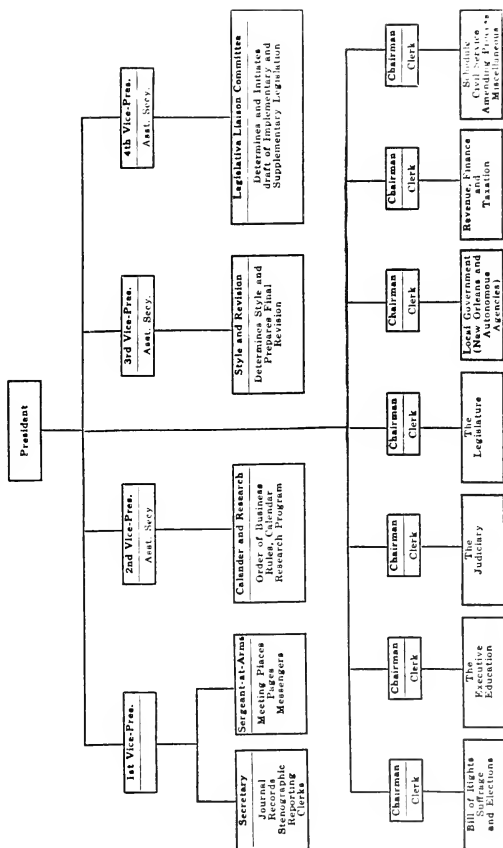
The fourth vice president shall be chairman of this committee, with no duties except to preside in the absence of the president or of the vice president.

Provision should be made for per diem compensation for these legislators, who are not members of the convention, and for all members after the convention has adjourned.

The secretary shall be an assistant secretary of the convention.

1-3

# Organization of A Constitutional Convention for Louisiana



Source; Louisiana State Law Institute, *Project of a Constitution*, 1954.

## Senate Rules

## SUGGESTED ASSIGNMENT OF PROPOSED AND PRESENT CONSTITUTION TO COMMITTEES OF THE CONSTITUTIONAL CONVENTION

Committee	Article	Present Constitution Provisions	Subject	Page with Notes and Studies Volume No.
I	I	[See Concordance, Volume Four for comparable provisions of the present constitution]	Bill of Rights	II
	II		Distribution of Powers	II
	VII		Suffrage and Elections	II
	VIII		Impeachment and Removal from Office	III
II	V	[See Concordance, Volume Four for comparable provisions of the present constitution]	The Executive	II
	XI		Public Education	III
III	VI	[See Concordance, Volume Four for comparable provisions of the present constitution]	The Judiciary	II
IV	III	[See Concordance, Volume Four for comparable provisions of the present constitution]	The Legislature	II
	IV		Limitations and Duties	II
V	X New Orleans and XIII	[See Concordance, Volume Four for comparable provisions of the present constitution]	Local Government, New Orleans, and Autonomous Agencies, Levees and Ports	III IV III
VI	IX	[See Concordance, Volume Four for comparable provisions of the present constitution]	Revenue, Finance, and Taxation	III
	IV 55, 9		Same (State General Revenue Fund and Debt)	II
VII	XII	[See Concordance, Volume Four for comparable provisions of the present constitution]	Civil Service	III
	XIV		Amending Process	III
	XV		Schedule	III

Rule No. 44, Standing Committees. A. Standing committees shall be appointed by the President of the Senate with the approval of the Senate. The membership of each committee shall be in the majority hereinafter set forth opposite the name of the committee:

1. Agriculture, seven members
2. Natural Resources, seven members
3. Commerce, seven members
4. Labor and Industrial Relations, seven members
5. Education, Health and Welfare, seven members
6. Finance, fifteen members
7. Senate and Governmental Affairs, seven members
8. Judiciary A, nine members
9. Judiciary B, nine members
10. Local and Municipal Affairs, seven members
11. Transportation, Highways and Public Works, seven members
12. Retirement, five members

One member of each committee shall be designated by the President of the Senate as Chairman of the committee and another member shall be designated by the President as Vice-Chairman.

Rule No. 45. A. Each bill, resolution or proposed constitutional amendment may be reported by a committee in one, and only one, of the following ways:

1. favorably
2. unfavorably
3. without action
4. with amendments, or
5. by substitute.

Only bills originating in the Senate may be reported by committee.

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Source: Louisiana State Law Institute, *Statutes*, 1954.

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Article 1, Section 1

Section 1. The President shall appoint and may remove the members of the Council of the Convention, seven in number, of whom not more than five shall be:

- 1. one from the Bill of Rights,
- 2. one from the local affairs,
- 3. one from the following:
- 4. commerce, labor relations, and local government,
- 5. education, finance, health and industry,
- 6. one from the transportation and

the commerce, health, and transportation affairs.

Section 2. The Council shall select the President of the Convention.

Section 3. The Council shall select the members of the Convention, and shall designate the committees.

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... of the committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine.

#### LOUISIANA

meeting place. The committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine.

No committee shall sit during the time the Senate is in session unless special leave first has been granted.

Prior to each meeting of his committee, the chairman of each standing committee shall post on bulletin boards which shall be maintained on the floor of the Senate and in the Senatorial Hall of the Senate the following information: (1) the names of the members of the committee; (2) the employees of the committee; (3) the time and place of meeting, in conformity with the regular schedule of committee meetings is assigned for the weeks of the session; (4) the proposed agenda, including the bills, by number, which the committee proposes to consider at the meeting, though the committee shall not be bound to consider all bills enumerated and may consider bills other than those enumerated, as it deems fit; (5) the name of the sergeant-at-arms assigned to the standing committee during its hearing, and (6) any other information which the committee deems pertinent. Such notices shall be posted for each meeting as soon as practicable but no later than 1:00 p.m. of the day preceding the meeting day. In the event extraordinary circumstances require that the meeting of a standing committee be held at a place, day or hour other than that regularly scheduled for it, the chairman may make changes in the scheduled

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place, day and hour, for or after the usual make public announcement of the change during the session of the Senate prior to the regularly scheduled meeting.

Rule No. 99. The notice of meetings of each standing committee shall be kept in the minutes of each meeting, shall include at least the following information: (1) where present; (2) those absent; (3) the bills considered, by number; (4) the names of witnesses appearing before the committee and the names and addresses of the representation, if any, represented by each member of the committee; (5) each bill in conformity with the Official Rules of the Senate.

#### Rules of Procedure for Testing of Witnesses and Interim Committee

Rule No. 1. Each standing committee shall hold regular meetings on the day, at the hour and at the place designated for regular meetings during each week of the session. The chairman may make changes when extraordinary circumstances require, but in such case he shall make public announcement of the change.

Rule No. 2. Special meetings of interim committees may be held on call of the chairman.

... of the committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine.

... of the committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine.

#### LOUISIANA

Rule No. 1. All resolutions shall be considered on the day in which they appear on the schedule and in as far as practicable on the day and at the hour assigned and publicized.

Rule No. 2. The chairman shall take care that each committee member is afforded an opportunity to be heard during the course of the consideration of each measure, but it shall be out of order for any member to speak without first being recognized by the chairman.

Rule No. 3. Any committee member may question witnesses appearing before the committee, but with permission of the chairman and to the extent permitted by the chairman.

Rule No. 4. Information on the part of any member may be reported by the chairman or by the committee to the Senate.

Rule No. 5. Meetings of the committee shall be open to the public; however, any committee may hold closed meetings and meet in executive session whenever it deems it necessary or appropriate. No final vote, however, shall be taken except in open session.

Rule No. 10. The chairman of each committee, or in his absence the vice chairman, shall:

- call the committee together at the regular time and place fixed for its meetings;
- Arrange for the promulgation of meeting notices, including a schedule of the bills and resolutions to be taken up at each meeting and all other information required by Senate Rule No. 48 of the Official Rules of the Senate;
- Preside over meetings of the committee and put all questions;
- Maintain order and decide all questions of order;
- Supervise and direct all clerical and other employees of the committee;
- Prepare or supervise the preparation of agenda for committee meetings;

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... of the committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine. The committee shall be held in the Senate at such place and time as the committee may determine.

Rule No. 1. The chairman shall call the committee together at the regular time and place fixed for its meetings.

Rule No. 12. The secretary or clerk of the committees shall:

- (a) Keep the minutes and records of the work of the committee;
- (b) Prepare the committee reports;
- (c) Perform such other duties as the chairman or the committee directs.

Rule No. 13. A record shall be made of those members present and absent.

Rule No. 14. A written record of committee proceedings had at each meeting shall be kept in which there shall be entered:

- (a) The time and place of each meeting of the committee;
- (b) The members present or absent;
- (c) The names and addresses of all persons appearing before the committee, with the name and address, if any, of the person, firm, corporation or association in whose behalf the appearance is made;
- (d) The bills, resolutions or other matters considered, by number;
- (e) Action of the committee, including final action of the committee with respect to each bill and resolution on which the committee makes a report to the Senate.

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Rule No. 15. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 16. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 17. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 18. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 19. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 20. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

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Rule No. 21. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 22. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 52. In forming a Committee of the Whole the Speaker shall appoint a chairman to preside over the committee and shall himself vacate the chair. The rules of procedure of the House shall be followed as far as applicable.

Rule No. 53. When a bill or other matter has been referred to a Committee of the Whole House, the bill shall be read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be affected or interlined, but all amendments, noting the page or line, shall be duly entered by the clerk on a separate paper, as the same is ordered by the Committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by clauses before the question to engross be taken.

Rule No. 54. All amendments made to a bill or resolution in Committee of the Whole shall be incorporated with the bill or resolution and so reported.

Rule No. 55. A Committee of the Whole shall submit a report upon rising, and the bill or resolution under consideration shall underline added.

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Rule No. 56. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 57. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 58. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

Rule No. 59. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

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## Part II, Chapter 5

### COMPARATIVE RESEARCH DATA Committees

#### ARIANAS

Rule No. 23. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.

#### Comparative Committees

- (a) Legislative Committee
- (b) Legislative Committee
- (c) Legislative Committee
- (d) Legislative Committee
- (e) Legislative Committee
- (f) Legislative Committee
- (g) Legislative Committee
- (h) Legislative Committee
- (i) Legislative Committee
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- (l) Legislative Committee
- (m) Legislative Committee
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- (p) Legislative Committee
- (q) Legislative Committee
- (r) Legislative Committee
- (s) Legislative Committee
- (t) Legislative Committee
- (u) Legislative Committee
- (v) Legislative Committee
- (w) Legislative Committee
- (x) Legislative Committee
- (y) Legislative Committee
- (z) Legislative Committee

#### Comparative Committees

- (a) Legislative Committee
- (b) Legislative Committee
- (c) Legislative Committee
- (d) Legislative Committee
- (e) Legislative Committee
- (f) Legislative Committee
- (g) Legislative Committee
- (h) Legislative Committee
- (i) Legislative Committee
- (j) Legislative Committee
- (k) Legislative Committee
- (l) Legislative Committee
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- (n) Legislative Committee
- (o) Legislative Committee
- (p) Legislative Committee
- (q) Legislative Committee
- (r) Legislative Committee
- (s) Legislative Committee
- (t) Legislative Committee
- (u) Legislative Committee
- (v) Legislative Committee
- (w) Legislative Committee
- (x) Legislative Committee
- (y) Legislative Committee
- (z) Legislative Committee

Rule No. 24. The committee on the Judiciary shall be composed of not less than five members of the committee, appointed by the House, and shall be presided over by the chairman of the committee.



Rule No. 27. Meetings. A committee shall meet at the call of the committee chairman, or upon written request of a majority of the members, or at the direction of the Convention.

A recorded roll call vote on any matter before a committee shall be taken on demand by any member of the committee.

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Each committee shall maintain an action journal of all its proceedings and a calendar, both of which shall be available to news media and interested members of the public.

Rule No. 28. Administrative Committee. The Administrative Committee shall be composed of the President, four vice-presidents and two delegates from each of the four Congressional Districts of the state, who have been elected by a majority of the delegates whose districts, or a greater part thereof, are in such Congressional District, except that if the President and a vice-president be from the same district, only one additional member shall be elected to the Administrative Committee from such district.

The President of the Convention shall be chairman of the Administrative Committee. The Administrative Committee shall have such duties as shall be assigned by the temporary and/or permanent rules adopted by this Convention. This committee shall have the responsibility of appointment of all personnel of the Convention including a secretary, who shall be subject to confirmation by the Convention.

The President and vice-presidents shall be nominated and elected by the Convention, and after said election, the Convention shall recess for the purpose of caucus by Congressional Districts for the election of members to the Administrative Committee.

Rule No. 29. Additional Committees. Additional committees of the Convention and their functions and number of members may be provided for by resolution of the Convention adopted by a majority of the delegates elected. Such additional committees may be created to consider matters not within the province of the regular standing committees, such as the submission of parts of a proposed constitution separately, or in the form of alternatives, to the voters of the state.

Rule No. 30. Designation of Committee Members. The President and the Administrative Committee shall nominate, subject to Convention

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#### ARKANSAS

approval, the membership of all committees except where the convention shall otherwise order. The designation of delegates to committees shall be subject to the control of the Convention, and any delegate may ask the Convention for a change in his or any other delegate's committee assignments.

Rule No. 31. Chairmen of Committees. The first named member of any committee shall be the chairman, and the second named member shall be vice-chairman. In case of a vacancy or absence of the chairman and vice-chairman, the members of the committee who are present shall appoint a chairman to act until the chairman or vice-chairman shall return.

Rule No. 32. Sitting of Committees During Sessions of the Convention. No committee shall sit during the sessions of the Convention without special leave of the Convention by a majority vote of those voting.

Rule No. 33. Power to Incur Expenses. No committee or delegate shall incur any expenses chargeable to the Convention unless authorized to do so by resolution of the Convention.

Rule No. 34. Subcommittees of Committees. A committee, by a majority vote of its number, may provide for the appointment by the committee chairman of subcommittees composed of delegates named to the committee. Reports of subcommittees shall be considered by the entire committee before recommending any action thereon by the Convention.

Rule No. 35. Notice of Reports. All committees before reporting on any proposal shall notify delegates who have introduced proposals on the same subject matter when and where they may meet with that committee to explain such proposals before the committee reports.

Rule No. 36. Reports of Committees. A majority of the members appointed to a committee shall be necessary to report a proposal out of committee. The report or reports of a minority of any

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committee shall be received in the same manner as the majority report, and treated as an amendment or substitute offered to or for the report of the committee if offered as such on the floor. One or more members of a committee may make a minority report.

Rule No. 37. Powers of Committees. Committees may hold public hearings at any place in the state. A committee may grant the powers here authorized to any subcommittee. A committee may direct that a verbatim record be kept of any portion of its proceedings.

Rule No. 38. Consideration of Proposals without Committee Recommendation. After one day's notice a majority of the delegates voting may by motion require a committee to report immediately any proposal without recommendation.

#### Committee of the Whole

Rule No. 39. Consideration of Committee Reports. When the Convention deems it necessary, it may by a majority vote of those voting resolve itself into Committee of the Whole to consider committee reports, or any other Convention business, and no business shall be in order until the whole of the reports or other Convention business is considered or passed over, or the committee rise. Unless a particular proposal is ordered up, the Committee of the Whole shall consider, act upon or pass over all matters referred to it by the Convention in the order of their reference.

Rule No. 40. Readings; Debate; Amendment. In the Committee of the Whole proposals shall be read through, debated and acted upon by clauses. All amendments shall be in writing as provided in Rule 51, and shall be reported to the Convention by the chairman.

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Rule No. 41. Motion that Committee of the Whole Rise. A motion that the Committee of the Whole rise shall always be in order unless a member of the committee is speaking or is to be speaking, and shall be decided without debate by a majority vote of those present and voting.

Rule No. 42. Reconsideration. A motion to reconsider shall lie in order in the Committee of the Whole and may be adopted by a majority vote of those present and voting, at any time before the committee shall vote to rise.

Rule No. 43. Application of Convention Rules. The Rules of the Convention shall be observed in the Committee of the Whole,

so far as they may be applicable, except that it cannot adjourn the Convention; a majority of those present and voting shall govern its action; it cannot refer matters to any other committee, except the Committee on Style and Drafting; and a motion to postpone indefinitely or for a call of the Convention shall not be in order. A delegate may speak more than once in the Committee of the Whole. A Journal of the proceedings in the Committee of the Whole shall be kept as in Convention.

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## Part II, Chapter 5

### COMPARATIVE RESEARCH DATA Committees

#### HAWAII

##### Standing Committees

Rule No. 16. The Standing Committees of the Convention shall be appointed by the President unless the Convention shall otherwise order.

The person first named shall be the chairman, and the person next named shall be the Vice-Chairman, of the Committee.

Rule No. 17. The Standing Committees of the Convention and the number of members thereof, respectively, shall be as follows:

##### General Standing Committees

1. Committee on Bill of Rights, Suffrage and Elections, Twenty-one members.
2. Committee on Legislative Powers and Functions, Twenty-one members.
3. Committee on Legislative Apportionment and Districting, Twenty-one members.
4. Committee on Executive, Twenty-one members.
5. Committee on Judiciary, Twenty-one members.
6. Committee on Taxation and Finance, Twenty-one members.
7. Committee on Local Government, Twenty-one members.
8. Committee on Public Health, Education and Welfare; Labor and Industry, Twenty-one members.
9. Committee on Agriculture, Conservation, Land and Hawaiian Homes, Twenty-one members.
10. Committee on Revision, Amendment and Other Provisions, Twenty-one members.
11. Committee on Style, Fifteen members.
12. Committee on Submission and Information, Twenty-one members.

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#### HAWAII

##### Administrative Standing Committees

1. Committee on Accounts and Printing, Fifteen members.
2. Committee on Rules, Fifteen members.

##### Rule No. 18. Functions of Standing Committees:

(a) It shall be the duty of the Standing Committees to consider all matters which may be referred to them.

Each Standing Committee shall submit to the Convention a report of reports, in writing, setting forth the results of its deliberations and its recommendations on all matters referred to it, in the same number and form as prescribed in these rules for proposals.

(b) The Committee on Style shall examine and correct the proposals which are referred to it for the purpose of avoiding inaccuracies, repetitions and inconsistencies and shall

arrange the same in the proper order in the Constitution and shall report thereon to the Convention.

The Committee shall have the authority to rephrase but shall have no authority to change the sense or purpose of any proposal referred to it.

Where a proposal referred to the Committee appears inconsistent or in conflict with a proposal already acted on favorably by the convention at second reading, the Committee shall so notify the Convention and wait upon its instructions.

(c) The Committee on Submission and Information shall consider and report to the Convention the method and manner of submitting the Constitution or proposed amendments to the Constitution to the people; shall prepare and present to the Convention for its approval the plan or method of informing the people of the

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changes in the Constitution or the proposed amendments to the Constitution; shall prepare and present to the Convention for its approval a report to the people outlining the results of the convention's work, and shall make such other reports as may be required by law and by the instructions of the Convention.

(d) The Committee on Rules shall consider and report upon such changes in the rules of the Convention and changes in its organization as shall be referred to it by the Convention from time to time.

(e) The Committee on Accounts and Printing shall be in charge of the business affairs of the Convention and shall supervise all printing for the Convention.

(f) No public hearing shall be had by any Standing Committee except after reasonable notice is given to the Secretary, in writing, who shall give public notice thereof.

Rule No. 19. All resolutions for the printing of an extra number of documents shall be referred, as of course, to the Committee on Accounts and Printing for its report thereon before final action by the Convention.

Rule No. 20. All resolutions authorizing or contemplating the expenditure of money shall be referred, as of course, to the Committee on Accounts and Printing for its report thereon before final action by the Convention.

Rule No. 21. No Committee shall sit during the sessions of the Convention without special leave.

##### Committee of the Whole

Rule No. 22. The Convention may upon motion resolve itself into a Committee of the Whole for the consideration of any matter. In forming the Committee of the Whole, the President of the Convention shall appoint a Chairman to preside.

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Rule No. 23. All amendments made to proposals, reports, resolutions and other matters submitted to the Committee of the Whole shall be noted and reported.

Rule No. 24. The rules of the Convention shall be observed in the Committee of the Whole so far as they may be applicable except that the Committee of the Whole cannot adjourn the Convention; no question may be laid on the table; the previous question shall

not be ordered; and the vote of forty-two members of the Committee shall govern its action.

**Rule No. 25.** Forty-two delegates shall be a quorum for the Committee of the Whole to do business.

**Rule No. 26.** A motion for the rising of the Committee of the Whole shall always be in order unless a member of the Committee is speaking or a vote is being taken, and shall be decided without debate.

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## Part II, Chapter 5

### COMPARATIVE RESEARCH DATA: Committees

#### ILLINOIS

##### Rule 14. Substantive Standing Committees

The substantive standing committees of the Convention and the number of members thereof, exclusive of those ex officio, respectively, shall be as follows:

1. Committee on Bill of Rights, fifteen members.
2. Committee on the Legislature, eleven members.
3. Committee on the Executive, eleven members.
4. Committee on the Judiciary, eleven members.
5. Committee on Revenue and Finance, eighteen members.
6. Committee on Suffrage and Constitutional Amendment, nine members.
7. Committee on Local Government, fifteen members.
8. Committee on Education, eleven members.
9. Committee on General Government, eleven members.

The president shall be, ex officio, a member of all substantive standing committees, but shall have no vote and shall not be counted for the purpose of determining a quorum. Each vice-president shall be, ex officio, a member of those substantive standing committees to which he is assigned by the president, but shall have no vote and shall not be counted for the purpose of determining a quorum.

##### Rule 15. Procedural Standing Committees

The procedural standing committees of the Convention shall be as follows:

1. Committee on Rules and Credentials;
2. Committee on Style, Drafting and Submission;
3. Committee on Public Information.

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#### ILLINOIS

The Committee on Rules and Credentials shall consist of eleven members and the president and the three vice-presidents of the Convention. The president shall be chairman of the Committee on Rules and Credentials. The Committee on Style, Drafting and Submission shall consist of one member from each substantive standing committee, and the president and the three vice-presidents of the Convention. The Committee on Public Information shall consist of seven members and the president and each of the vice-presidents as he may designate.

##### Rule 16. Select Committees

The president may on his own initiative or at the direction of the Convention appoint such select committees as may be necessary to perform special functions.

##### Rule 17. Appointment of Committee Members

The president, after consultation with the vice-presidents, shall appoint the committee members, but any appointment, or announcement thereof, may be rejected by a majority of the members of the Convention. Each member, except the president and the three vice-presidents, shall be appointed to serve on one substantive standing committee.

##### Rule 18. Appointment of Committee Chairmen and Vice-Chairmen

Except as otherwise provided in rule 15, the president, after consultation with the vice-presidents, shall designate the chairman and vice chairman of every committee, and his designees shall be subject to

the approval by a majority of the members of the Convention. In case of a vacancy or the prolonged absence of the chairman and vice-chairman, the president of the Convention shall appoint a chairman to act until the chairman or vice-chairman shall return.

##### Rule 19. Quorum and Rules of Committees

A majority of any committee constitutes a quorum, but the question of the presence of a quorum of a committee may not be raised on the consideration of a proposal before the Convention, unless the question has been raised before the committee. The rules of the Convention shall

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#### ILLINOIS

be observed in all standing committees as far as may be applicable, and, if applicable, may not be suspended.

##### Rule 20. Calling of Committees and Agenda

Each committee shall meet at the call of its chairman, who shall also set its agenda. Any three members of a committee may in writing request the chairman to call a meeting of that committee, and, upon his failure to do so within forty-eight hours not including Saturdays, Sundays, and legal holidays, a majority of the members of the committee shall have the right to call a meeting of the committee and set its agenda and place of meeting under the appropriate notice requirements. Each proposal referred to a committee must appear on the committee's agenda at least once.

##### Rule 21. Notice of Committee Meetings

No committee meetings may be held unless notice thereof is posted in the following manner. The secretary of the Convention shall be furnished an original and two copies of a written notice, signed by the chairman or members of the committee calling the meeting. The notice shall state the date, hour, and place of the proposed meeting and the proposal number or subject matter to be considered. The secretary shall post one copy thereof on a designated bulletin board with an endorsement thereon by the stamp of the exact hour and date of the posting, which may not be less than forty-eight hours before the time of the meeting. The original notice shall be retained by the secretary. The other copy shall be returned to the chairman of the committee with the endorsement of the secretary. The secretary shall mail or deliver a copy of the notice to all members of the committee and to all members of the Convention who have introduced proposals on the subject matter to be considered.

##### Rule 22. Sitting of Committees during Sessions of the Convention

No committee shall sit during the sessions of the Convention, or of the Committee of the Whole, without having first obtained special leave of the Convention.

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#### ILLINOIS

##### 19. Subcommittees

A committee, by the affirmative vote of a majority of its members, may divide for the appointment by the committee chairman of subcommittees composed of members of the committee. Reports of subcommittees shall be considered by the entire committee before the committee recommends an action thereon by the Convention. All rules applicable to committees shall be applicable to subcommittees.

##### Rule 23. Report of Committees

The affirmative vote of a majority of the members of a committee shall be necessary to report a proposal out of a committee. The report of a minority of at least 20 percent of the members of any committee shall be received, printed in the same name as the majority report, and treated as an amendment or substitute offered to or for the report of the committee if offered as such on the floor.

All proposals reported by a committee to the Convention shall be reported as committee proposals and shall be referred to the committee of the Whole.

#### Committee Meetings and Hearings

(a) Committee and subcommittee meetings and hearings shall be open to the public and the news media. Committees and subcommittees shall hold meetings at which action may be taken on proposals in the city of Springfield, and, upon the affirmative vote of a majority of the members of the committee and after consultation with and approval by the president, hold hearings at any other place in the state. Committees and subcommittees may take testimony under oath or affirmation. The chairman of a committee or subcommittee may request the president of the convention to subpoena documents and witnesses. A witness so subpoenaed shall have the right to be represented by counsel of his own choosing. A recorded vote on all votes in any matter in the agenda of a committee and on which a referendum shall be taken in demand of any member of the committee. After consultation with the president, may direct that a committee report be kept on file as part of its proceedings.

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Committees may meet jointly with the consent of their respective

chairs.

#### Consideration of Proposals without Committee Recommendation

When the president's notice of the convention, on motion passed by the committee, is by a majority of members, may require a committee to recommend a proposal without a recommendation; any proposal referred to the committee.

#### Committee of the Whole

#### General Orders of the Day

Any proposal reported by any committee of the convention shall be referred to the Committee of the Whole and become general orders to be placed on the calendar and agenda of the Committee of the Whole by the president. Any committee proposal shall be considered by the Committee of the Whole until the third day after it has been referred to the Committee of the Whole nor until the day after the printed proposal has been placed on the members' desks, unless the Convention agrees to its earlier consideration.

#### Rule 28. Consideration of Proposals

When the Convention reaches consideration of the General Orders of the Day, it shall then sit as the Committee of the Whole to consider such orders, or to consider a particular order designated by the Convention by the affirmative vote of a majority of those present and voting. No business shall be in order until all pending General Orders of the Day have been considered or passed over, or the Committee of the Whole has risen. Unless a particular proposal has been specially designated by the Convention or by the president for consideration out of turn, the Committee of the Whole shall consider, act upon, or pass over the General Orders of the Day in the order in which they were referred to the Committee of the Whole.

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#### ILLINOIS

#### Roll Calling, Quorum, Quorum

Roll calling shall be the duty of the clerk, or persons shall, at the request of the president, call the roll before being debated or voted upon. All proposals shall be entered on separate paper and stated to the members on the president's floor.

#### Roll Calling, Quorum, Quorum of the Whole Five

Roll calling shall be the duty of the clerk, or persons shall, at the request of the president, call the roll before being debated or voted upon. All proposals shall be entered on separate paper and stated to the members on the president's floor.

#### Roll Calling, Quorum, Quorum

Roll calling shall be the duty of the clerk, or persons shall, at the request of the president, call the roll before being debated or voted upon. All proposals shall be entered on separate paper and stated to the members on the president's floor.

of the Whole following the session at which the action to be reconsidered was taken.

#### Rule 32. Application of Convention Rules

The rules of the Convention shall be observed in the Committee of the Whole so far as they may be applicable except that: the Committee of the Whole cannot adjourn the Convention; the previous question shall not be ordered; the vote of a majority of members is necessary to approve a proposal and refer it to the Committee on Style, Drafting and Submission; the Committee may refer any proposal back to the substantive committee from which it came or may refer it to any other substantive committee; and a motion to postpone indefinitely or for a Call of the Convention shall not be in order. A member may speak more than once in the Committee of the Whole. A Verbatim Journal of its proceedings and a transcript of its debates shall be kept by the Committee of the Whole.

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#### Part II, Chapter 5

#### COMPARATIVE RESEARCH DATA: Committees

#### MARYLAND

Rule No. 26. Establishment and Meetings. The standing committees of the Convention shall be:

1. Committee on Personal Rights and the Preamble
2. Committee on Suffrage and Elections
3. Committee on the Legislative Branch
4. Committee on the Executive Branch
5. Committee on the Judicial Branch
6. Committee on Local Government
7. Committee on State Finance and Taxation
8. Committee on General Provisions
9. Committee on Style, Drafting and Arrangement
10. Committee on Calendar and Agenda of the Convention
11. Committee on Rules, Credentials and Convention Budget
12. Committee on Public Information

Committees 1 through 8 shall be considered substantive committees and each delegate shall be entitled to serve on one of these eight committees.

Each committee shall meet at the call of its chairman or by the written request of a majority of its members.

A recorded roll call vote on any matter before a committee shall be taken on demand of any member of the committee.

Each committee shall maintain an action journal of all its proceedings and a calendar, both of which shall be available to the delegates news media and interested members of the public.

Additional committees may be established by resolution of the Convention.

Rule No. 24. Vacancies. In case of a vacancy or the prolonged absence of the chairman and vice-chairman, the president of the Convention shall appoint a chairman to act until the chairman or vice-chairman shall return.

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Rule No. 25. Sitting of Committees during Sessions of the Convention and the Committee of the Whole. No committee, except the Committee on Calendar and Agenda of the Convention, shall sit during the sessions of the Convention or of the Committee of the Whole, without having first obtained special leave of the president, or of the Convention or of the Committee of the Whole by the affirmative vote of a majority of those present and voting.

Rule No. 26. Power to Incur Expenses. No delegate or committee shall incur any expense chargeable to the Convention unless such expense is approved by the president or is authorized by resolution

of the Convention. No motion or resolution calling for an expenditure of money shall be acted upon by the Convention without first being referred to an appropriate committee for consideration and recommendation.

Rule No. 27. Subcommittees. A committee, by the affirmative vote of a majority of its members, may provide for the appointment by the committee chairman of subcommittees composed of delegates who are members of the committee. Reports of subcommittees shall be considered by the entire committee before the committee recommends any action thereon by the Convention.

Rule No. 28. Notice of Reports. A committee shall notify all delegates who have introduced proposals on the same subject matter of the time and place where they may meet with the committee to explain such proposals, and the notice required by this rule shall be given at least twenty-four hours before the committee takes final action. The requirements imposed by this rule shall not be applicable with respect to delegate proposals introduced after October 27, 1967.

Rule No. 29. Report of Committees. The affirmative vote of a majority of the members of a committee having the right to vote shall be necessary to report a proposal out of committee. The report of a minority of at least twenty per cent of the members of any committee having the right to vote shall be received, printed in the same manner as the majority report, and treated as an amendment or substitute offered to it for the report of the committee if offered as such on the floor. All proposals reported

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by a committee to the Convention shall be referred to the committee of the Whole. All committee recommendations shall be accompanied by a concise written explanation of the reasons for the committee's action.

Rule No. 30. Last Day for Committee Reports. Except upon the affirmative vote of a majority of the delegates present and voting, the Committee of the Whole will receive no final report of a substantive committee after November 17, 1967.

Rule No. 31. Committee Meetings and Hearings. Committees may hold meetings or public hearings at the seat of the Convention and may be authorized by the Convention to hold meetings or public hearings at any other place. A committee may grant the powers here authorized to any subcommittee. A committee, with the approval of the president, may direct that a verbatim record be kept of any portion of its proceedings.

Rule No. 32. Consideration of Proposals without Committee Recommendations. After one session day's notice a committee, on motion passed by the affirmative vote of a majority of all the delegates, may be required to report, with or without a recommendation, any proposal referred to the committee.

Rule No. 33. General Orders of the Day. All proposals reported by any committee of the Convention shall be referred to the Committee of the Whole and kept in the file called "General Orders of the Day." No committee proposal shall be considered by the Committee of the Whole until the third day after it has been referred to the Committee of the Whole, unless the Convention, by the affirmative vote of a majority of the delegates present and voting, agrees to its earlier consideration.

Rule No. 34. Consideration of Proposals. When the Convention reaches consideration of the General Orders of the Day, it shall then sit as the Committee of the Whole to consider such orders, or to consider a particular order designated by the Convention by

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the affirmative vote of a majority of those present and voting. Unless a particular proposal has been specially designated by

the Convention for consideration out of turn, the Committee of the Whole shall consider, act upon, or pass over the General Orders of the Day in the order in which they were referred to the Committee.

Rule No. 35. Amendments in Committee of the Whole. Amendments offered in Committee of the Whole shall be subject to Rule 50, Amendments To Be Printed.

Rule No. 36. Motion that Committee of the Whole Rise. A motion that the Committee of the Whole rise shall always be in order unless a member of the Committee is speaking or a vote is being taken, and such motion shall be decided without debate by vote of a majority of those present and voting.

Rule No. 37. Reconsideration. A motion to reconsider shall be in order in the Committee of the Whole and may be adopted before the Committee rises by the affirmative vote of a majority of those present and voting.

Rule No. 38. Application of Convention Rules. The rules of the Convention shall be observed in the Committee of the Whole so far as they may be applicable except that the Committee of the Whole cannot adjourn the Convention; no question may be laid on the table; the previous question shall not be ordered; the vote of a majority of the Committee shall govern its action, any motion to postpone further consideration shall be debatable for ten (10) minutes on each side, no speech thereon to exceed two (2) minutes; the Committee cannot refer matters to any other Committee, except the Committee on Style, Drafting and Arrangement; and a motion to postpone indefinitely or for a Call of the Convention shall not be in order. A delegate may speak more than once in the Committee of the Whole. A quorum in the Committee of the Whole shall be 72.

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Rule No. 39. Limitation of Debate. Before a proposal is taken up by the Committee of the Whole, any delegate wishing to be heard by the Committee on Calendar and Agenda to have the prior rights shall be privileged to move that a limitation be placed upon the time of the debate and consideration of a proposal by the Committee of the Whole, provided that equal time is to be afforded to the proponents and the opponents of the proposal, and the Committee may fix in advance of consideration of a proposal or proposals a time for Committee to rise and adjourn.

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#### Part II, Chapter 5

#### COMPARATIVE RESEARCH DATA COMMITTEES

#### MICHIGAN

Rule No. 1. General Policy, Establishment and Meeting. Committees of the Convention and their functions and membership shall be provided by resolution of the Convention adopted by a majority of the delegates elected. Committees shall meet at the call of the chairman upon a written request of a majority of its members.

A recorded roll call is to be in order before a committee shall be taken on demand of any member of the committee.

The committee shall maintain an accurate journal of all its meetings and a calendar, which shall be available to all delegates and interested members of the public.

Rule No. 2. Chairman of Committee. The first named member of any committee shall be the chairman, the second named member shall be first vice chairman and the third named member shall

be second vice chairman. The presiding officer of the committee may place under oath or affirmation any person who appears to testify on any matter pending before the committee.

In case of a vacancy or the prolonged absence of the chairman and first vice chairman, the president of the convention shall appoint a chairman to act until the chairman or first vice chairman shall return.

Rule No. 29. Sitting of Committees During Sessions of the Convention. No committee shall sit during the sessions of the convention without special leave of the convention by a majority vote of those present and voting.

Rule No. 30. Power to Incur Expenses. No committee or delegate shall incur any expense chargeable to the convention unless authorized by resolution of the convention.

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Rule No. 31. Subcommittees of Committees. A committee, by a majority vote of its number, may provide for the appointment by the committee chairman of subcommittees composed of delegates named to the committee. Reports of subcommittees shall be considered by the entire committee before recommending any action thereon by the convention.

Rule No. 32. Notice of Reports Without Recommendations. All committees before reporting without recommendation on any proposal shall notify delegates who have introduced proposals on the same subject matter when and where they may meet such committee to explain the same before the committee reports; such notice to be given by mail in the convention post office or in person 24 hours before so reporting.

Rule No. 33. Report of Committee. A majority of the members appointed to a committee shall be necessary to report a proposal out of committee. The report of a minority of at least 3 of the members of any committee shall be received, printed in the same manner as the majority report, and treated as an amendment or substitute offered to or for the report of the committee if offered as such on the floor. All proposals reported by a committee to the convention shall be referred to the committee of the whole.

Rule No. 34 (as amended). Powers of Committees. Committees may hold public hearings at the seat of the convention and may be authorized by the convention to hold public hearings any place in the state. Committees may take testimony under oath or affirmation. A committee may by resolution of the convention be given the power to subpoena documents and witnesses. Any witness so subpoenaed shall have the right to be represented by counsel of his own choosing. A committee may grant the powers here authorized to any subcommittee. All committee meetings shall be open to the public unless otherwise authorized by the convention.

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by a majority vote of the delegates elected. A committee may direct a verbatim report of any portion of its proceedings.

Rule No. 35. Consideration of Proposals Without Committee Recommendation. After 3 session days' notice a majority of the delegates elected may by motion require a committee to report any proposal without recommendation.

Rule No. 36 (as amended). General Orders of the Day. All proposals reported by any committee shall be referred to the committee of the whole and kept in the file called general orders of the day. No committee proposal shall be considered by the committee of the whole until the third day following the day of its reference to the committee of the whole.

Rule No. 37. Consideration of Proposals. When the convention shall have arrived at the general orders of the day, it shall go into a committee of the whole upon such orders, or a particular order designated by the convention by a majority vote of those present and voting, and no business shall be in order until the whole are considered or passed over, or the committee rise. Unless a particular proposal is ordered up, the committee of the whole shall consider, act upon, or pass over all matters on the general orders according to the order of their reference.

Rule No. 38. Reading, Debate, Amendment. In the committee of the whole proposals shall first be read through by the secretary, and then read, debated, and acted upon by clauses. All amendments shall be entered on separate paper and reported to the convention by the chairman.

Rule No. 39. Motion that Committee of the Whole Rise. A motion that the committee of the whole rise shall always be in order unless a member of the committee is speaking or a vote is being taken, and shall be decided without debate by a majority vote of those present and voting.

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Rule No. 40. Reconsideration. A motion to reconsider shall be in order in the committee of the whole by a majority vote of those present and voting, before the committee shall rise.

Rule No. 41 (as amended). Application of Convention Rules. The rules of the convention shall be observed in the committee of the whole, so far as they may be applicable, except that it cannot adjourn the convention, the previous question shall not be ordered, the vote of a majority of the committee shall govern its action. It cannot refer matters to any other committee, and a motion to postpone indefinitely or for a call of the convention shall not be in order. A delegate may speak more than once in the committee of the whole. A journal of the proceedings in committee of the whole shall be kept as in convention. When the committee of the whole reports to the convention, the actions of the committee of the whole shall be accepted.

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#### Part II, Chapter 5

#### COMPARATIVE RESEARCH DATA Committees NEW MEXICO

Rule No. 27. Standing Committees. The standing committees of the convention are:

- A. Committee on Bill of Rights, which shall consider the preamble, boundaries, bill of rights and distribution of powers;
- B. Committee on Legislature, which shall consider the legislature, referendum and apportionment;
- C. Committee on Executive, which shall consider the executive and public institutions;
- D. Committee on Judiciary, which shall consider the Judiciary;
- E. Committee on Elections, which shall consider elections, suffrage, amendments, miscellaneous and other provisions assigned by the president;
- F. Committee on Education, which shall consider education;
- G. Committee on Revenue, which shall consider finance, taxation and public lands;
- H. Committee on Natural Resources, which shall consider water and compacts, wildlife, minerals and environment;
- I. Committee on Local Government, which shall consider local government.

Rule No. 29. Special Committees.

A. There shall be a special committee of the convention which shall be known as the Committee on Public Information. This committee shall be appointed as standing committees are appointed. The Committee on Public Information shall consider and implement measures to constantly inform the people of this state on the actions, procedures, recommendations and activities of the convention. It shall also prepare and present to the convention for its approval a report to the people outlining the results of the convention's work and the proposed changes recommended in the constitution.

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B. There shall be a committee on Style, which shall include drafting, arrangement and transitions.

C. There shall be a Committee on Rules, which shall consider rules, credentials and business of the convention.

Rule No. 29. Size of Committees. No standing committee shall have more than twenty members.

Rule No. 30. Committee Service. No delegate may serve on more than two standing committees; provided, that the president shall be automatically a member, without vote, on all committees of the convention. No chairman of any standing committee shall be a member of any other committee except that all committee chairmen shall be ex-officio members of the Committee on Rules.

Rule No. 31. Subcommittees. A committee, by affirmative vote of a majority of its members present, may authorize the committee chairman to appoint subcommittees composed of delegates who are members of the committee. Reports of subcommittees shall be made only to the parent committee and shall be adopted by a majority vote of the parent committee before being recommended to the convention.

Rule No. 32. Rules of Committees. The rules and orders of the convention, where applicable, shall govern the parliamentary procedures of all committees of the convention.

Rule No. 33. Meetings. Each committee shall meet at the call of its chairman or by written request of a majority of its members.

Rule No. 34. Sitting During Sessions. No committee, except the Committee on Rules, shall sit during the sessions of the convention or of the committee of the whole, without having first obtained permission from the president.

Rule No. 35. Committee Hearings and Meetings. All committee hearings and meetings shall be open to the public. All committee hearings and meetings shall be conducted at the seat of the

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convention. A committee chairman, with the approval of the president, may direct that a verbatim record be kept of a specified portion of its proceedings. No committee hearing or meeting shall be held without a quorum being present.

Rule No. 36. Committee Proposals and Reports.

A. Each committee proposal and report shall be adopted by an affirmative vote of a majority of the committee members present and voting.

B. Each committee proposal recommending any matter for incorporation in the constitution shall contain a complete article, other subdivision or groups of articles or subdivisions of the constitution. In the discretion of the committee, the proposed article or articles recommended to the convention may contain controversial sections stated in the alternative for presentation to the voters of the state.

C. Each committee proposal shall be accompanied by a report which shall state the committee's recommendation and disposition of each delegate proposal filed with the committee as follows: whether it (1) has been adopted in whole in the committee proposal, (2) has been adopted in part in the committee proposal, (3) has been disapproved, or (4) has been disposed of in such other manner as may be indicated.

D. The report of the committee shall contain enough detailed information as to the disposition by the committee of its assignment so as to enable the president to determine that all subjects which should be considered by the committee have been covered.

E. Nothing in this rule shall be construed to prevent the submission of a minority report by members of a standing committee.

Rule No. 43. Chairman. When the convention resolves itself into the Committee of the Whole, the president may designate

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a delegate as Chairman thereof, and the said delegate as convention shall be the chief clerk of the Committee of the Whole.

Rule No. 44. General Orders of the Day. All proposals reported by any committee of the convention shall be referred to the committee of the whole and kept on the file, called "General Orders of the Day." No committee proposal shall be considered by the committee of the whole until the third day after it has been referred to the committee of the whole and has been reproduced in each delegate as provided in these rules, unless the convention, by the affirmative vote of a majority of the delegates present and voting, agrees to its earlier consideration.

Rule No. 45. Consideration of Proposals. When the convention, in the order of its business, reaches consideration of the "General Orders of the Day," it shall then resolve itself into the committee of the whole to consider such orders, and to consider a particular order designated by the convention by the affirmative vote of a majority of those present and voting. No business shall be in order until all pending "General Orders of the Day" have been considered or passed over, or the committee of the whole has risen. The President shall have the power to withhold the consideration of committee reports.

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Part II, Chapter 5  
COMPARATIVE RESEARCH DATA: Committees  
PENNSYLVANIA

Rule 27

Standing and Subcommittees. There shall be standing and subcommittees. There shall be:

- (a) Legislative Appointments, consisting of the chairmen of the delegates appointed to the following committees:
  - (1) Method of Apportionment, consisting of two ex-chairmen and two ex-delegates;
  - (2) Composition of Legislature, consisting of two ex-chairmen and five ex-delegates;
  - (3) Judiciary, consisting of two ex-chairmen and the delegates appointed to the following subcommittees:
    - (a) Selection of Judges, consisting of two ex-chairmen and six delegates;

- b. Tenure of Judges, consisting of two Co-Chairmen and six Delegates.
- c. Incompatible Activities of Judges--Removal, Suspension and Discipline of Judges, consisting of two Co-Chairmen and six Delegates.

- d. Retirement and Post-retirement Service of Judges, consisting of two Co-Chairmen and six Delegates.

- e. Judicial Administration and Organization, consisting of two Co-Chairmen and six Delegates.

- 3. Local Government, consisting of two Co-Chairmen and the Delegates appointed to the following Sub-Committees:

- a. Structure and Organization, consisting of two Co-Chairmen and six Delegates.

- b. Annexation and Boundary Changes, consisting of two Co-Chairmen and six Delegates.

- c. Local Finance, consisting of two Co-Chairmen and six Delegates.

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- d. Home Rule, consisting of two Co-Chairmen and six Delegates.

- e. County Government, consisting of two Co-Chairmen and six Delegates.

- f. Apportionment, consisting of two Co-Chairmen and six Delegates.

- 4. Taxation and State Finance, consisting of two Co-Chairmen and the Delegates appointed to the following Sub-Committees:

- a. Taxation, consisting of two Co-Chairmen and ten Delegates.

- b. State Debt, consisting of two Co-Chairmen and ten Delegates.

- c. State Sinking Fund, consisting of two Co-Chairmen and ten Delegates.

- 5. Style and Drafting, consisting of two Co-Chairmen and sixteen Delegates.

- b. Arrangement, Submission and Address to the People, consisting of two Co-Chairmen and sixteen Delegates.

- 7. Rules, consisting of two Co-Chairmen and sixteen Delegates.

- 8. Administration and Finance, consisting of two Co-Chairmen and sixteen Delegates.

Meaning of Committee. Whenever the term committee is used it shall mean the Co-Chairmen of the standing committee and the members of all of its Sub-Committees unless specifically designated otherwise by these rules.

Control and Supervision of Proposals. A majority of all members of a standing committee, which includes all members of any Sub-Committee thereof, shall have control and supervision of all proposals referred to it by the President, and may, by a vote of a majority of the members of a standing committee, consider any proposal referred to one of its Sub-Committees.

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Disagreement. In the event of any substantial disagreement between the Co-Chairmen of any standing or Sub-Committee on any subject under their jurisdiction such disagreement shall be referred to the applicable standing committee for determination by a majority vote of the entire membership of the committee.

Reports by Main Committee. All committee proposals shall be reported to the Convention by a vote of a majority of the entire membership of the standing committee and not by any Sub-Committee thereof.

Legislative Apportionment--Scope. The Committee on Legislative Apportionment shall consider and report upon the subject matter of Article II, Sections 16, 17 and 18, of the present Pennsylvania Constitution.

Judiciary--Scope. The Committee on Judiciary shall consider and report on Judicial Administration, Organization, Selection and Tenure now covered in part by Article V of the present Pennsylvania Constitution.

Local Government--Scope. The Committee on Local Government shall consider and report on the subject matters of Articles XIII, XIV, XV and part of Article IX of the present Pennsylvania Constitution.

Taxation and State Finance--Scope. The Committee on Taxation and State Finance shall consider and report on the subject matter of part of Article IX of the present Pennsylvania Constitution.

Style and Drafting--Function. The Committee on Style and Drafting shall examine and edit all proposals referred to it for inclusion in the Constitution for the purpose of avoiding inaccuracies, repetition, inconsistencies or poor drafting, and shall consider and make recommendations on any differences, conflicts or unresolved matters of substance. The

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committee shall have the authority to rephrase or to regroup proposed language or sections of the proposed authorized changes in the Constitution, but shall have no authority to change the sense or purpose of any proposal referred to it. The Committee shall also be empowered to recommend referral of proposals submitted to it to the originating committee. The Committee shall undertake to resolve any inconsistency or conflict in interference with the originating committee. If the Committee on Style and Drafting shall fail to resolve any such inconsistency or conflict, it shall notify the Convention and await its instructions.

Arrangement, Submission and Address to the People--Function. The Committee on Arrangement, Submission and Address to the People shall arrange the sections and articles referred to them by the Convention and shall consider and report to the Convention recommendations concerning the submission to the electorate the proposals agreed upon by the Convention, in accordance with Section 8 of Act 7, Session of 1967.

Submission. When the Convention shall have agreed upon its proposals and the manner of their submission, it shall refer them to the Committee on Arrangement, Submission and Address to the People, and said Committee shall consider and report to the Convention for approval the manner in which to frame the question or questions to be placed upon the ballot submitting to the people the proposed revisions to the Constitution thereof agreed upon; also, whether or not it is deemed appropriate to place thereon an interpretive statement and, if recommended, in which form such interpretive statement should be framed.

Address. There shall also be referred to the Committee on Arrangement, Submission and Address to the People the preparation of an Address to the People, subject to Convention approval. Such Address shall consist of a summary and explanation

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of the proposed revisions to the Constitution agreed upon; the directions for the notice and publication of the same, and of the Address; the directions for the distribution of copies thereof through the office of the Secretary of the Commonwealth, in accordance with Section 8 of Act No. 2, Session of 1967.

Rules--Powers. The Committee on Rules provided herein shall have the following powers:

1. To investigate and report to the Convention any question of the election, returns, or qualifications of any Delegates.
2. To make studies and recommendations designed to promote, improve and expedite the business of the Convention and the committees thereof, and may propose any amendments to the Rules deemed necessary to accomplish such purposes.
3. To authorize, upon request of a standing committee, the appointment of additional sub-committees and to merge existing sub-committees within the structure of the standing committee making such request.

## Administration and Finance--Powers.

1. To recommend the duties and compensation for all staff positions of the Convention not otherwise provided for. Such recommendations shall be submitted to the Convention by resolution and approved by the Convention. It shall have authority, upon recommendation of the President, to dismiss any employee for incompetency or dereliction of duty.
2. To assign available office space and committee rooms to Delegates.
3. To propose a schedule of the time and place of meetings of the standing committees and subcommittees.
4. To prepare a Convention budget and, from time to time, to make necessary changes therein for submission to the Convention for approval.

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5. To examine and certify to the President the correctness of all bills rendered to the Convention.
6. To contract for, and determine the number of copies, method of printing, and binding and the distribution of all printing required by these Rules for the Convention.
7. To formulate procedures for the requisitioning, custody, disbursement and auditing and the accounting for all funds appropriated to the Convention and procedures for procurement of services and commodities.

8.

All claims for expenses incurred by committees of the Convention shall be approved by the Committee on Administration and Finance, or its authorized representative who is a member of the Committee, before such claims are presented for payment.

All proposed expenditures shall be approved by the Committee on Administration and Finance, or its authorized representative who is a member of the Committee, before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Administration and Finance, or its authorized representative who is a member of the Committee, has been obtained in accordance with the provisions of this rule.

The Committee on Administration and Finance shall adopt rules and regulations limiting the amount, time, and manner of payment of expenses and allowances, to be paid to Delegates or employees of the Convention or Convention committees.

Such rules may provide for allowances to committee members or employees for mileage, hotel accommodations, and meals

at the rates fixed by the committee from time to time. Such allowance shall be in lieu of actual expenses incurred by committee members and employees.

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"Mileage under this rule is an allowance to a committee member or employee in lieu of actual expenses of travel by private conveyance, and shall be allowed only to the operator and not to passengers in a private vehicle. "Mileage shall not be allowed to any committee member or employee in lieu of actual fare when travel is by plane, train, or other common carrier. Claims for mileage must be accompanied by the license number of the vehicle and the names of Delegates or employees riding as passengers.

Ex-Officio Members. The President, the Presidents and Secretaries shall be ex-officio members of all Committees and Sub-Committees, but shall have no vote in any Committee or Sub-Committee.

Meetings--Where Scheduled. All standing committees and sub-committees shall meet at the day, hour and place provided by schedule, unless otherwise ordered by the Convention. An committee or sub-committee shall meet during any session of the Convention or at any place other than where scheduled, without first obtaining permission from the Convention.

Meetings--Open to Public. Every scheduled committee or sub-committee meeting shall be open to the public unless the Committee, by a vote of a majority of the members of the Committee present and entitled to vote shall order an executive session.

Meetings--Hearings--Schedule. All proposals set for hearings by any committee or sub-committee must be published in the daily Calendar and notice thereof forwarded to the Convention news media not less than five days in advance of such hearings; provided, that this rule shall not prevent any committee or sub-committee from hearing any proposal on Tuesday or Wednesday, where action of the committee or the committee chairman setting such proposal for hearing was taken on the

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preceding Friday or Saturday and the notice thereof is published in the daily Calendar for the following Monday. Provided, further, that no proposal shall be set for hearing nor shall notice thereof be published by any committee or sub-committee until that proposal has been referred to said committee.

Majority. A majority of the total membership of any standing committee or sub-committee shall constitute a quorum for the transaction of its business, including the adoption of any amendments to any proposal. At least a majority of all Delegates constituting a standing committee shall be required to report a proposal to the committee for the Convention.

Journal. Each committee or sub-committee shall keep a Journal of its proceedings recording all action on proposals, amendments and resolutions, or other matters referred to it, with the names and votes of Delegates. The Journal shall be retained until final adjournment of the Convention, when it shall be filed with the Secretary. It shall be available for public inspection at all reasonable business hours. A member of a committee or sub-committee wishing to explain his vote may file a written explanation with the clerk of the committee within two Convention days after the vote is taken, which explanation shall be attached to the action Journal.

Discharge. Nothing in these rules shall prevent a majority (82) of the Delegates from discharging a committee from further consideration of any measure; provided, the committee shall have had in its possession for a period of not less than ten Convention Days the measure sought to be brought to the floor by such action.

Discharge Notice. A notice of at least one day shall be given of a motion to discharge any such committee, the notice to be in writing and entered upon the Journal. Such notice, if the motion made thereunder does not prevail,

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may be offered again on any succeeding Convention Day, but not upon the same day, nor more than a second time.

Public Hearings. The standing committees and sub-committees may hold public hearings subject to the approval of the Committee on Administration and Finance, on the subject matter lying within the jurisdiction of each, in accordance with the Rules of the Convention, or referred to it by the Convention.

Notice. The co-chairmen of any committee or sub-committee shall give public notice of each public hearing as far in advance as practicable. Said public notice shall be made by delivering a copy thereof to the Secretary of the Convention who, in turn, shall post such notice on the Convention Bulletin Board, deliver a copy to the Convention news media and to each Delegate. Said notice shall include the date, time and location of the hearing, together with a brief description of the subject matter of said hearing.

Method of Requesting to Appear. Persons or organizations desiring to present their views shall be afforded as reasonable an opportunity to do so as far as is possible. Notification of such desire to appear and testify before a committee or sub-committee shall be addressed to the Secretary of the Convention.

Method of Notification to Appear. Persons or organizations requesting an opportunity to appear before a committee or a sub-committee conducting said public hearing shall be notified by the Secretary as to the day, date, time and place of said appearance. Only those persons or organizations scheduled in the foregoing manner will be eligible to appear before a committee or sub-committee. Granting permission to appear shall be at the discretion of the co-chairmen of the Committee or sub-committee which is conducting the hearing.

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##### Method of Submitting Proposals or Views.

Persons or organizations scheduled for an appearance before a committee or sub-committee shall submit a typewritten statement covering their proposals or views, not later than three days prior to their appearance before the committee or sub-committee. The statement shall be sent to the Secretary of the Convention.

Failure by any person or organization to submit a statement in accordance with this rule will be cause for the cancellation of the appearance of the person or organization.

If, in the opinion of the co-chairmen of the committee or sub-committee the submitted proposal does not fall within the limitation of the subjects which may be considered by the Convention, the committee or sub-committee shall refuse permission for the person or organization to appear.

Persons or organizations wishing to present their proposals or views to a committee or sub-committee without appearing before the committee or sub-committee may do so by sending a typed, legible statement of such proposals or views to the Secretary of the Convention.

These statements will be prepared for distribution in the manner provided above.

Limit on Oral Presentation. All persons or organizations duly scheduled to appear before a committee or sub-committee in accordance with the above shall be entitled to present an oral statement of not more than fifteen minutes for the purpose of explaining their written statement or presenting additional information, unless otherwise restricted or extended by a majority vote of the committee or sub-committee conducting said hearing.

Debate or argument between proponents and opponents of a proposal shall not be permitted.

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Oral statements pertaining to provisions of the Constitution shall be limited to those set forth in Act No. 1, 196<sup>th</sup> Session. All other statements or debates shall be out of order.

The oral statement of any organization shall be limited to one spokesman for each organization at each committee or sub-committee hearing.

Nothing in this rule shall prevent more than one representative of an organization to be in attendance at any committee or sub-committee hearing.

Record of Hearings. The committee or sub-committee shall arrange for the recording and transcribing of the proceedings of the public hearings. The transcriptions, all written statements and any other information which the committee or sub-committee deems pertinent shall be known as the official record of these hearings, and shall be inserted in and become a part of the action Journal.

##### Procedures.

1. Each committee shall review and study existing constitutional provisions in the area of its jurisdiction to determine:

- (a) The existing provisions, their origin, history and reasons for their promulgation, the manner in which they have been interpreted by the courts, and the established practice thereunder;
- (b) The extent to which existing provisions adequately meet the state's needs; and
- (c) Areas in which improvement seems desirable.

2. After substantial completion of such study, each committee shall then proceed to consider all proposed changes in the article of the present Constitution set forth in Act No. 2, Session of 1967, whether embodied in the Delegate proposals or otherwise.

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1. Each committee shall then prepare its committee proposal or proposals and its supporting reason or reasons, setting forth all relevant facts and arguments relating to said proposals.

4. Each committee and sub-committee shall maintain a calendar showing, insofar as possible, the proposed order and date of consideration of particular matters within its jurisdiction, witnesses to be heard and such other information as may in the

opinion of the committee assist interested citizens in their presentation of suggestions and advice, and their understanding of the work of the committee.

5. The Journal to be maintained by each committee and sub-committee shall contain the record of formal action taken by the committee, the subjects discussed, witnesses heard and reports submitted. Committee Journals shall be made available for reference to:

- (a) All members of the committee and delegates;
- (b) The President, Vice President, Secretary and Co-Directors of Research;
- (c) Co-chairmen of all other committees;
- (d) The Convention Library; and
- (e) The Convention press room.

6. Each committee shall present to the Convention for the information of Delegates not serving on such committee periodic internal reports of its progress and activities and the progress and activities of its sub-committees. The schedule for submission of such reports shall be fixed by the President.

7. A proposal reported from committee may pertain to a section, a part thereof, or the entire Article.

8. Not later than December 31, 1967, each committee shall file with the President, in writing, proposed dates for the completion by such committee of the steps described in sections 1, 2, and 3 above.

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##### Rule 24

5. The Committee on Style and Drafting shall complete its consideration of all committee proposals and make its recommendations on or before February 9, 1968.

6. The Committee on Arrangement, Submission and Address to the People shall make its final recommendations on or before February 16, 1968.

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#### Part II, Chapter 6 COMPARATIVE RESEARCH DATA: Transaction of Business

#### Part II, Chapter 6 COMPARATIVE RESEARCH DATA: Transaction of Business

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##### 1961 Convention Rules

##### 15 Map, Call Yeas and Nays Names Called Alphabetically

Rule No. 16. When the Yeas and Nays shall be called for by twenty-five (25) Members, each Member, except the President called upon, unless excused from voting, shall declare openly and without debate, his or her assent or dissent to the question. In taking the Yeas and Nays the names of the Members shall be called alphabetically.

Rule No. 17. No Member May Vote After Decision Declared. When the Yeas and Nays are taken on any question, no Member shall be permitted, under any circumstances whatever, to vote after the decision has been announced by the Chair.

Rule No. 18. No Explanation or Excuse After Roll Call Started-Two Minutes to Explain Vote. No Member shall be permitted to explain his or her vote, or ask to be excused from

voting after permission is granted by the Chairman. No Member shall have more than two minutes to explain his vote. Following same shall be allowed two minutes to explain his or her vote. The names of absentees on all roll calls shall be placed on a separate list.

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##### 1967 Rules

Article 12. Order of Business of the Convention shall have precedence over all other business.

##### Ordinary Business

- Roll Call.
- Prayer.
- Reading and Adoption of Journal.
- Petitions, Memorials, and Communications.
- Reports of Committees.
- Introduction of Resolutions.
- Introduction of Ordinances.
- Regular Order of the Day.
- Unfinished Business.
- Special Order.
- Reports of Committees Living Over.
- Resolutions Living Over.
- Ordinances on Second Reading, to Be Referred.
- Ordinances on Second Reading Reported by Committees.
- Ordinances on Third Reading.
- Unanimous Consent to Change Order of Business.

The above order of business shall be rigidly adhered to without regard to length of time required, unless the unanimous consent of the Convention shall be otherwise given. All petitions and memorials shall be referred to the proper committees by the President as soon as read, where reference may be necessary or is requested by a Member.

##### Motion

Article 13. When a question is under debate, no motion shall be entertained but--

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##### 1967 Rules

- Roll Call.
- Prayer.
- Reading and Adoption of Journal.
- Petitions, Memorials, and Communications.
- Reports of Committees.
- Introduction of Resolutions.
- Introduction of Ordinances.
- Regular Order of the Day.
- Unfinished Business.
- Special Order.
- Reports of Committees Living Over.
- Resolutions Living Over.
- Ordinances on Second Reading, to Be Referred.
- Ordinances on Second Reading Reported by Committees.
- Ordinances on Third Reading.
- Unanimous Consent to Change Order of Business.

The above order of business shall be rigidly adhered to without regard to length of time required, unless the unanimous consent of the Convention shall be otherwise given. All petitions and memorials shall be referred to the proper committees by the President as soon as read, where reference may be necessary or is requested by a Member.

Article 14. When a question is under debate, no motion shall be entertained but--  
Roll Call.  
Prayer.  
Reading and Adoption of Journal.  
Petitions, Memorials, and Communications.  
Reports of Committees.  
Introduction of Resolutions.  
Introduction of Ordinances.  
Regular Order of the Day.  
Unfinished Business.  
Special Order.  
Reports of Committees Living Over.  
Resolutions Living Over.  
Ordinances on Second Reading, to Be Referred.  
Ordinances on Second Reading Reported by Committees.  
Ordinances on Third Reading.  
Unanimous Consent to Change Order of Business.

Rule No. 11. Reconsideration. When a motion has been adopted, whether previously reconsidered or not, it shall be in order for any Member to move for its reconsideration thereof, but no motion for reconsideration shall be made more than one day on which the motion was made, and the motion shall be decided at the next succeeding

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legislative day. When any question shall have been decided by the Convention, in which two-thirds of the Members present are necessary to carry the affirmative, any Member who voted on the side that prevailed may be at liberty to move for a reconsideration; and a motion for reconsideration shall be decided by a majority vote, but no motion to reconsider a vote upon a motion to reconsider shall be in order at any time.

Rule No. 16. Division of a Question. When a question contains several points, any Member may have same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out a different proposition; nor preclude a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Rule No. 37. Previous Question. When a call for the previous question has been made and sustained, the question shall be upon pending amendments, and then on question, in their regular order; and all incidental questions or order arising after a motion for the previous question has been made, and pending such motion, shall be decided whether on appeal or otherwise, without debate; provided, a majority of the Members present shall be necessary to order the previous question, and the question from the Chair shall be: "Shall the main question be now put?"

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Rule No. 38. Time Limited to Present Petitions, Etc. A petition shall be deemed in order to admit any person to the floor, within the Convention Hall to present or read any petition, memorial or address.

Rule No. 39. Motion to Be in Writing. Every motion except the previous question shall be in writing, and every Member shall attach his or her name to every ordinance, resolution, amendment, order, report or motion presented, before it shall be received by the Chair or read by the Secretary.

Rule No. 40. Motion to Adjourn Always in Order. A motion to adjourn to recess shall always be in order, except when, on a call for the previous question, the main question shall have been ordered, or when a Member has the floor, and shall be decided without debate.

#### Special Orders

Rule No. 50. Two-thirds to Make Special Order. No ordinance, resolution or other subject shall be made a special order for consideration, unless by the consent of two-thirds of the Members present.

#### Rule No. 50. Special Orders Come Up According to Time of Assignment

When the day shall have arrived for the consideration of a special order, it shall be the duty of the Presiding Officer to take it up, unless the unfinished business of the preceding day shall be under consideration.

Rule No. 50. Special Orders Take Precedence by Order of Time. When two or more subjects shall have been specially assigned for consideration, they shall take precedence according to the order of time for which they were severally made or assigned, and said

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Rule No. 51. Special Orders Take Precedence by Order of Time. When two or more subjects shall have been specially assigned for consideration, they shall take precedence according to the order of time for which they were severally made or assigned, and said

#### Rule No. 51. Special Orders Take Precedence by Order of Time

When two or more subjects shall have been assigned for the same time, the subject first assigned for that hour shall take precedence, but special orders shall always have precedence of general orders, unless such special order shall be postponed by direction of the Convention.

#### Suspension and Amendment of Rules

#### Rule No. 42. One Day's Notice to Alter Rules -- Two-thirds Required to Suspend Rules

The standing rule of the Convention shall be rescinded, altered or amended without one day's notice being given of the motion therefor, and, except where unanimous consent may be required, no rule shall be suspended except by a vote of two-thirds of the Members present.

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#### 1972 Senate Rules

Rule 8. Business Not to be Interrupted. The business of the Senate shall not be interrupted.

Rule 14. Rules for Motion, Debate and Withdrawal. When a motion is made, it shall be reduced to writing, if desired by the Presiding Officer or any Senator, delivered at the table and read, before the same shall be debated; and any motion may be withdrawn by the mover at any time before decision, amendment, or ordering the yeas and nays, excepting a motion to reconsider, which shall not be withdrawn without leave of the Senate.

No motion need be seconded.

Rule 15. Precedence of Motions When a Question is Under Debate. When a question is under debate, no motion shall be entertained but:

- To adjourn;
- 1. limit debate;
- To recess;
- To return to the Calendar;
- To proceed to the consideration of executive business;
- To lie on the table;
- For the previous question;
- To postpone indefinitely;
- To postpone to a day certain;
- To commit or recommit; or
- To amend.

Which several motions shall have precedence in the order they stand arranged; and motions to proceed to the consideration of executive business, to lie on the table, and for the previous question, shall be decided without debate; and motions to take

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and proved to the consideration of any question shall be determined without debate upon the merits of the question proposed to be considered.

When a bill or resolution is pending, an amendment to such bill or resolution may be laid on the table without prejudice to the bill or resolution then pending.

The motion to proceed to the consideration of executive business shall not be entertained more than once during debate on any one bill or resolution, unless by unanimous consent of the Senate.

#### Division of a Question

Rule 16. If the question under debate contains several points, any Senator may have the same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out a different proposition; nor preclude a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Rule 17. When a call for the previous question has been made and sustained, the question shall be upon pending amendments, and the main question, in their regular order; and all incidental questions of order arising after a motion for the previous question has been made, and pending such motion, shall be decided whether on appeal or otherwise, without debate; provided that a majority of the members present shall be necessary to order the previous question and the question from

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Rule 15. A Senator shall be permitted to take an amendment which he is proposing in the Senate Chamber.

Rule 24. Any question or amendment, not extending to the merits, being part of the main question, shall be decided by a majority of the Senators present, although a greater number may be required for the majority of the final question.

Rule 25. When opposition has been raised to any question requiring action of the Senate and the voting machine is in use the question shall be disposed of by the Senators casting their vote by the means of the voting machine.

Rule 26. When the Senate is equally divided, the Secretary shall take the decision of the President; however, no bill or concurrent resolution shall be adopted unless a majority of the members elected to the Senate vote in favor thereof.

Rule 28. Reconsideration. When a question has been made and carried in the affirmative or negative, it shall be in order for any Senator who voted on the side that prevailed to move for the reconsideration thereof, but no motion for the reconsideration of any vote shall be in order after the bill, resolution, or message shall have gone out of the possession of the Senate; nor shall any motion for reconsideration be in order, unless made on the same day on which the vote was taken, or within the morning hour of the next succeeding legislative day. When notice has been given, by a Senator who voted on the side that prevailed, that he will on the next succeeding legislative day move to reconsider a vote, no further action shall be had on the same until after the morning hour of the next succeeding legislative day. No motion to reconsider a vote which has been reconsidered previously shall be in order at any time.

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the Chair shall be: "Shall the main question be now put?"

#### Objection to Reading a Paper

Rule 18. When the reading of a paper, other than joint resolutions or bills, is called for, and the same is objected to by any Senator, it shall be determined by a vote of the Senate, and without debate.

Rule 19. Unfinished Business Prior to Special Order. The unfinished business in which the Senate was engaged at the last preceding adjournment shall have precedence over the special orders of the day.

Rule 20. Yeas and Nays. When the yeas and nays are taken on any question no Senator shall be permitted, under any circumstances whatever to vote after the decision is announced from the Chair.

Rule 21. Prior to the announcement of the vote from the Chair, the Secretary of the Senate shall announce the vote in order that any Senator desiring to change his vote, may do so before the final announcement of the vote by the presiding officer.

Rule 22. Every Senator who shall be in the Senate when a question is put shall give his vote unless the Senate, for reasons assigned, shall excuse him. No Senator shall be allowed to make an explanation of a vote he is about to give or ask to be excused from voting after the Secretary, under order of the Senate, shall have opened the voting machine or, in the event the voting machine is out of order, after the Secretary, under order of the Senate, shall have commenced calling the yeas and nays.

#### Morning Hour - Regular Order of the Day

Rule 29. After roll call, prayer, and the reading of the Journal, the presiding officer or the Secretary shall lay before the Senate messages from the House of Representatives (Messages from the Governor and executive departments being always in order);

- Petitions and memorials;
- Reports of committees;
- The introduction of bills;

The introduction of resolutions, Senate and concurrent; all of which shall be received and disposed of in the above order, without regard to length of time required, unless the order of business shall be temporarily changed by a suspension of the rules.

Every petition or memorial or other paper shall be referred by the Secretary without putting a question for that purpose, unless the reference is objected to by a Senator, at the time such petition, memorial or other paper is presented.

In the order of the day, business shall have precedence as follows:

1. Unfinished business.
2. Special order.
3. Senate bills and concurrent resolutions returned from the House with amendments.
4. Senate and concurrent resolutions.
5. Senate bills on second reading to be referred.

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6. Senate bills on second reading reported by committee.
7. Senate bills on third reading and final passage.
8. House concurrent resolutions.
9. House bills on first reading.
10. House bills on second reading to be referred.
11. House bills on second reading reported by committee.
12. House bills on second reading returned from the Legislative Bureau.
13. House bills on third reading and final passage.

Rule 36. Special Orders. When the hour shall have arrived for the consideration of a special order, it shall be the duty of the presiding officer to take it up, unless the unfinished business of the preceding day shall be under consideration.

When two or more subjects shall have been specially assigned for consideration, they shall take precedence according to the order of time at which they were severally arranged, and such orders shall at no time be lost or changed, except by direction of the Senate.

Rule 37. Precedence in Special Orders Over General Orders. When two or more subjects shall have been assigned for the same hour, the subject first assigned for that hour shall take precedence, but special orders shall always have precedence of general orders, unless such special order shall be postponed by direction of the Senate.

Rule 38. Number Required to Make a Special Order. No bill, joint resolution or other subject shall be made a special order for a particular day and hour without the consent of a majority of the Senators present.

bill out of its regular order shall be allowed without the consent of a majority of the members of the Senate.

Rule 40. The unfinished business in which the Senate was engaged at the time of its adjournment on the preceding day shall have preference in the order of the day; and no motion or any other business shall be received without special leave of the Senate until the former is disposed of.

Rule 41. Making up The Journal. The title of bills and joint resolutions shall be inserted in the journal.

Rule 42. The proceedings of the Senate shall be entered in the Journal as completely as possible, care being taken to detail a true and accurate account of the proceedings. Every vote of the Senate shall be taken by yeas and nays and the name of the members voting for or against the question shall be entered in the Journal as well as the names of the absent Senators.

Rule 43. The files of the Senate may be inspected by the members, but no paper shall be withdrawn therefrom without the consent of the Senate.

Rule 44. Suspension and Amendment of Rules. No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given in writing of the motion therefor; nor shall any rule be suspended except by a favorable vote of a majority of the members present.

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Rule 39. Order of Business of the Day. All questions relative to the priority of the business to be acted upon shall be decided without debate, but no motion to call up a

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Rule 65. Mason's Manual of Legislative Procedure. On any question of order and parliamentary practice, when these rules are silent or inexplicit, the Manual of Parliamentary Procedure shall be considered authoritative.

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## 70. TABLE OF RULES RELATING TO MOTIONS<sup>1</sup>

	Un-debatable	Open Main Question	Cannot Be Amended	Cannot Be Reconsidered	In Order When Another Has Floor
To adjourn.....	*	0	*	*	0
To fix the time to which to.....	2	0	0	0	0
To amend (3).....	0	0	0	0	0
To amend the amendment.....	0	0	*	0	0
To amend the rules.....	0	0	0	0	0
To appeal, relating to indecorum, etc. (4).....	*	0	*	0	*
To appeal, all other cases.....	0	0	*	0	*
To call to order.....	*	0	*	0	*
To close debate.....	*	0	0	0	0
To commit.....	0	*	0	0	0
To extend limits of debate.....	*	0	0	0	0
Leave to continue speaking after indecorum.....	*	0	*	0	0
To lie on the table.....	*	0	*	5	0
To limit debate—motion to.....	*	0	0	0	0
To objection to consideration of (6).....	*	0	*	0	*
To take up orders of the day.....	*	0	*	0	*
To postpone to a certain time.....	7	0	0	0	0
To postpone indefinitely.....	0	*	*	0	0
Previous question (8).....	*	0	*	0	0
Priority of business relating to.....	*	0	*	0	0
Privilege—questions of.....	0	0	0	0	0
Reading papers.....	*	0	*	0	0
To reconsider a debatable question.....	0	*	*	*	5
To reconsider an undebatable question.....	*	0	*	*	5

### Explanation of the Table

A star shows that the rule heading the column in which it stands applies to the motion opposite to which it is placed. A cipher (zero) shows that the rule does not apply. A figure shows that the rule only partially applies - the figure referring to the note showing the limitation. Take for example, "Lie on the Table." The table shows that it is undebatable, cannot be amended and that the affirmative vote on it, as shown in note 5, cannot be reconsidered. The two columns containing ciphers show that this motion does not open the main question to debate, and that it is not in order when another member has the floor.

Notes to Table of Rules Relating  
to Motions

1. Every motion here mentioned has the effect of suspending some rule or established right of deliberative assemblies, and therefore unless a special rule is adopted to the contrary, requires a majority vote to be carried in the affirmative.
2. Undebatable if made when another question is before the house.
3. An amendment may be either (1) by adding or (2) by striking out words or paragraphs; or (3) by striking out and inserting; or (4) by dividing the question into two or more different questions, as specified by the mover so as to get a separate vote on any particular point or points.
4. An appeal is undebatable only when relating to incorrectness or to transgression of the rules of speaking or to the priority of business or made while the previous question is pending. When debatable only one speech from each member is permitted. On a tie vote, the decision of the chair is sustained.
5. An affirmative vote on this motion cannot be reconsidered.
6. The objection can only be made when the question is first introduced.
7. Allows of but limited debate upon the propriety of postponement.
8. The previous question, if adopted, cuts off debate and brings the house to a vote on the pending questions in their order until the main question is reached which shall be at once disposed of. But its only effect, if a motion "to postpone" is pending, is to bring the house to a vote upon such motion.
9. Can be moved and entered on the record when another has the floor, but cannot interrupt business then before the house; must be made on the day the original vote was taken, or before the expiration of the morning hour of the following day; and by one who voted with the prevailing side.

Rule 13. Adjournment. A motion to adjourn shall always be in order, except when, on the call for the previous question the main question shall have been ordered to be now put, and shall be decided without debate.

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Part II, Chapter 6

COMPARATIVE RESEARCH (DATA): Transaction of Business

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Rule 44. Order of Business. The order of business of the Convention shall be as follows:

1. Call to order
2. Invocation
3. Roll call
4. Reading and approval of Journal
5. Reports of standing committees
6. Reports of special committees
7. Communications from State Officers
8. Introduction and first reading and reference of proposals
9. Second reading of proposals
10. Third reading of proposals
11. Motions and resolutions
12. Unfinished business
13. Special orders of the day
14. General orders of the day

Article - Stating Motions and Resolutions. When a motion is made, it shall be stated by the President; or, if in writing, it shall be handed to and read aloud by the secretary before being debated.

Every resolution, other than a proposal, shall be read by title, and shall be referred to the appropriate committee. If the rule is suspended to permit immediate consideration of a resolution, the resolution shall be read in full before it is considered.

Rule 45. Reading of Writings. Every motion shall be reduced to writing. The President or a member at whose request shall

request it, and all motions, oral or written, shall be entered upon the Journal, together with the name of the delegate making it, unless withdrawn by the maker or ruled out of order by the President.

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Rule 47. Withdrawal of Motions. After a motion has been stated by the President or read by the secretary, it shall be deemed to be in the possession of the Convention, but may be withdrawn by the maker at any time before being amended or put to a vote.

Rule 48. Precedence of Motions. When a question is under debate, no motion shall be received but--

1. To fix the time to which to adjourn.
2. To adjourn.
3. To take a recess.
4. To reconsider.
5. To lay on the table.
6. For a quorum call of the Convention.
7. To limit debate.
8. For the previous question.
9. To postpone to a day certain.
10. To commit.
11. To amend.
12. To postpone indefinitely.

When motions shall take precedence in the order in which they are here listed, and shall be decided by a majority vote of those voting, except the motion to postpone indefinitely, which shall be passed only by a majority vote of all the delegates elected. When a recess is taken while any question is pending, consideration of such question shall be resumed upon reassembling unless otherwise determined. Whenever a proposal is being considered at any stage of procedure and a motion is made to postpone indefinitely or to commit, amendments to the proposal shall first be in order before taking a vote on any such motion.

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Rule 49. Motions Not Debatable. A motion to adjourn shall always be in order except when a motion to fix the time to which to adjourn is pending. A motion to adjourn, a motion to lay on the table and all matters relating to questions of order shall be decided without debate. A motion for a recess, pending the consideration of other business, shall not be debatable.

Rule 50. Amendments to be Germane. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 51. Amendments to be Printed. No amendment to any delegate or committee proposal shall be considered unless it is submitted in writing and a copy thereof delivered to the floor desk of each delegate prior to the time the amendment is offered.

Rule 52. Division of Question. Any delegate may call for a division of the question, which shall be divided if it comprehends propositions in substance so distinct that when one is removed or deferred, a substantive proposition remains for the decision of the Convention. A motion to strike out and insert shall be deemed indivisible.

Rule 53. Motions for the Previous Question. The method of ordering the previous question shall be as follows: Any delegate may move the previous question and unless otherwise stated the motion shall apply to the pending question only. This being



seconded by at least five delegates, the presiding officer shall put the question, "Shall the main question now be put?" This shall be ordered only by two-thirds (2/3) of the delegates voting. After the seconding of the motion for the previous question and prior to ordering the same, a Call of the Convention may be moved and ordered; but after ordering the previous question nothing shall be in order prior to the decision of the pending question.

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except demands for the yeas and nays, points of order, appeals from the decision of the Chair, and a motion to adjourn or to take a recess, all of which shall be decided without debate. The effect of the previous question shall be to put an end to all debate and bring the Convention to a direct vote upon the pending question. When a motion to reconsider is taken under the previous question and is decided in the affirmative, the previous question shall have no operation upon the question to be reconsidered. If the Convention shall refuse to order the previous question, the consideration on the subject shall be resumed as though no motion for the previous question had been made.

**Rule 54. Motion for Reconsideration.** Any delegate may move for a reconsideration of any question at the same or next succeeding session of the Convention; or the Committee on Style and Drafting may move for reconsideration on any subsequent day if notice of its intention to do so is given in writing to the secretary, who shall enter this notice in the Journal.

**Rule 55. Sine Die Adjournment.** A motion to adjourn the Convention sine die shall not be voted upon until at least forty-eight hours after notice is given to the delegates; and to pass this motion requires an affirmative vote of a majority of all the delegates to the Convention.

**Rule 58. Majority Vote on Proposals.** On the passage on third reading of every proposal, section, article and any complete revision of or amendment to the Constitution, the vote shall be taken by yeas and nays, and entered on the Journal, and no proposal, section, article or any such amendment or complete revision shall be declared passed unless a majority of all the delegates elected to the Convention shall have voted in favor of the passage of the same. No proposal shall

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be finally voted upon by the Convention except after the expiration of 72 hours from its introduction.

**Rule 60. Unfinished Special Orders.** Any subject matter made the special order for a particular day not having been reached on that day, shall come up for consideration under the order of "Unfinished Business" at the next succeeding session of the Convention.

**Rule 61. Limitation on Debate and Control of Dilatory Procedure.**

The Convention may limit the time of debate on any subject matter before the Convention, designate a method of allocating the period allowed for debate among delegates and take appropriate action to control dilatory procedure.

**Rule 62. Presentation and Endorsement of Petitions.** Petitions received by any officer of the Convention or by any delegate may be initiated by the recipient, and handed directly to the chairman or clerk of the committee which has the subject matter of the petition under consideration. The chairman of the

committee, on behalf of the Convention, shall give appropriate notice of the receipt of the petition.

**Rule 63. Putting the Question.** The President shall put all questions in this form: "As many as are in favor of (as the question may be), say 'aye'" and after the affirmative vote is expressed, "as many as are opposed, say 'no.'" If the President is in doubt as to the vote, he may order a division of the Convention.

A division of the Convention may be had on the demand of five delegates, or a roll call of the Convention may be demanded by a vote of one-fifth (1/5) of the delegates voting on any

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pending question. When a division of the Convention is ordered a rising vote or a show of hands may be taken or the voting machine may be used, if provided, and the President shall declare the result. On a tie vote the question shall be deemed lost.

**Rule 64. Amendment or Suspension of Rules.** The rules of the Convention may be amended by a majority vote of the delegates elected, but no rule shall be amended unless such amendment is in writing, has been considered by the Committee on Rules and Resolutions and is in the possession of the Convention two days prior to its consideration. A rule may be suspended by a vote of two-thirds (2/3) of the delegates voting, provided that no less than 51 votes are cast in favor of the suspension.

**Rule 65. Form of Question on Appeals.** On all appeals from decisions of the Chair, the question shall be "Shall the ruling of the chair stand?" which question shall be decided by a majority vote of those voting.

**Rule 66. Debate on Appeals.** No delegate shall speak on the question of an appeal more than once without leave of the Convention by a majority vote of those voting.

**Rule 67. Tabling Appeals.** An appeal may be laid on the table but shall not carry with it the subject matter before the Convention at the time such appeal is taken.

**Rule 68. Practice in Unprovided Cases.** In all cases not provided by these rules, the authority shall be "The Rules of the Inter-Panama (75th Anniversary Edition, 1951).

**Rule 69. Voting by the Electrical Roll Call System.** When taking the yeas and nays on any question to be voted upon, the electrical roll call system may be used, and when so used shall have the same force and effect as a roll call taken as otherwise provided in these rules.

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When the Convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the presiding officer shall announce: "The question is on the passage or (designating the matter to be voted upon). All in favor of such question shall vote 'yea,' all opposed shall vote 'nay.' The Convention will now proceed to vote."

When sufficient time has been allowed the delegates to vote, the presiding officer shall announce: "Have all voted?" And after a short pause shall say: "The Secretary shall proceed to record the vote."

The secretary shall immediately start the vote recording equipment, and when completely recorded, shall announce the

result of the Convention. The secretary shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any delegate shall be privileged to vote or change his vote after the vote recording equipment has started to operate, by rising and announcing his vote before the result of the vote has been announced by the secretary.

No delegate shall cast a vote for another delegate, nor shall any person not a delegate cast a vote for a delegate. In addition to such penalties as may be prescribed by law, any delegate who shall vote for another delegate may be punished in such manner as the Convention may determine. If a person not a delegate shall vote or attempt to vote for any delegate, he shall be barred from the floor of the Convention for the remainder of the session and may be further punished in such manner as the Convention may deem proper, in addition to such punishment as may be prescribed by law.

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Rule 70. Presence of Delegate. Any Delegate, having answered roll call at the opening of any session, or having entered upon the floor of the Convention after roll call and made his presence known to the secretary, shall thereafter be deemed as present for that session for purposes of determining the right of compensation.

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#### Part II, Chapter 6

##### COMPARATIVE PETEARCH DATA: Transaction of Business

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Article 17. At meetings of the Convention the order of business shall be as follows (except at times set apart for the consideration of special orders):

1. Calling Convention to order.
2. Prayer.
3. Determination of quorum.
4. Reading of Journal.
5. Presentation of petitions, memorials and communications.
6. Reports of standing committees.
7. Reports of select committees.
8. Introductory and first readings of proposals.
9. Reference of proposals.
10. Motion and resolutions.
11. Unfinished business.
12. Special orders of the day.
13. General orders of the day.

Article 18. Consideration of the general orders of the day shall be in the following order:

1. Consideration by Committee of the Whole.
2. Reports of the Committee of the Whole.
3. Committee reports and proposals reported from committees.
4. Second Reading.
5. Action on reports of the Committee on Style, as to arrangement and phraseology only.
6. Third Reading and agreement.

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If the matter is not considered in its order, it shall lose its precedence for the day, but shall appear on the calendar on the following day in its regular order. Any matter may be made a special order of business for any particular day or time by a majority vote of the delegates present.

Rule 29. Any subject matter having been made the special order for a particular day, and not having been reached on that day, shall be upon the order of "Unfinished Business" on the next succeeding Convention day.

Rule 30. Upon calls of the Convention, the names of the delegates shall be called alphabetically.

In case of the absence of delegates, the delegates present shall take such measures as they shall deem necessary to secure the presence of absentees.

Rule 31. After a question has been stated by the President, and the calling of the roll has begun, the President shall not recognize a delegate for any purpose whatever until the call is completed; but nothing in this rule shall abridge the right of any delegate to change or record his vote on any question previous to the announcement of the result.

Rule 32. The vote upon any question shall be taken by the ayes and nays and entered on the Journal, on motion made and seconded before the question is put and upon the request of at least ten delegates.

A delegate may pass the first time his name is called by the clerk on any vote, but if he remains silent on the next call of his name, his vote shall be received as voting in the affirmative.

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Rule 33. The rules of Parliamentary Practice comprised in the Robert's Rules of Order, shall govern in all cases in which the same are not inconsistent with the standing rules and orders of the Convention.

Rule 34. Any rule of the Convention may be suspended by a vote of at least two-thirds of the delegates present, or repealed or amended by a vote of at least forty-two delegates, and any repeal or amendment offered shall lie on the table one day before being voted upon.

Rule 35. When a motion is made it shall be stated by the President, or being in writing, it shall be read aloud before being debated.

Rule 36. A motion may be withdrawn at any time before decision or amendment.

Rule 37. When a question is under consideration by the Convention only the following motions shall be received; which motions shall have precedence in the order stated, viz:

Motions to, or for:

1. Adjourn. )
2. Recess. ) Not amendable or
3. Call of the Convention. ) Debatable except as
4. Lay on the table. ) hereinafter provided.
5. Previous question. )
6. Postpone indefinitely. ) Not amendable, but
7. Postpone to a certain time. ) Debatable and
8. Go into Committee of the Whole. ) Debatable and
9. Commit (or recommit) to Committee of the Whole ) Debatable and amendable.

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10. Commit (or recommit) to a Standing Committee. Debatable and amendable.
11. Commit (or recommit) to a Select Committee. Debatable and amendable.
12. Close debate at a specified time. Not debatable but amendable.
13. Amend, Debatable and amendable.  
(Numbers 7 to 12 both inclusive, preclude debate on main question).

The motion to adjourn, to take a recess, and to adjourn for a longer period than one day, shall always be in order, and the last motion shall be amendable and debatable.

Calls for information, for reading a paper, for division of a divisible question, for division of the house, for the ayes and noes, and a motion for reconsideration shall always be in order, but shall not be amendable or debatable.

An appeal from the decision of the chair may be taken at any stage of the proceedings.

Rule 38. The previous question shall be put in this form, "Shall the main question be now put?" It shall be admitted when demanded by a two-third vote of the delegates present, and its effect shall be, if decided affirmatively, to end debate and bring the Convention to a vote upon pending amendments, if any, to the main question, and pending such motion, shall be decided whether on appeal or otherwise, without debate.

Rule 39. A motion to reconsider any vote must be made before the end of the second Convention day after the day on which the vote proposed to be reconsidered was taken, and by a delegate who voted in the majority and the same majority shall be required to adopt a motion to reconsider as was required to take the action to be reconsidered. When a motion for re-

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consideration is decided, that decision shall not be reconsidered, and no question shall be twice reconsidered; nor shall any vote be reconsidered upon either of the following motions:

- To adjourn.
- To lay on the table.
- To take from the table; or
- For the previous question.

Rule 42. No delegate rising to speak shall proceed until he shall have addressed the President and been recognized by him as entitled to the floor.

Rule 43. While the President is putting a question or a count is being had no delegate shall speak or leave his place, and while a member is speaking no delegate shall engage in any private discourse or pass between him and the chair.

Rule 44. When a motion to adjourn, or for recess, shall be carried, no delegate or officer shall leave his place until the adjournment or recess shall be declared by the President.

Rule 45. A proposal may be recalled from a Committee by the affirmative vote of twenty-five delegates, provided that the Committee has reported on the subject matter of such proposal for passage on second reading.

Rule 46. Any delegate may at any time rise and speak to a question of personal privilege.

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Rule 13. Order of Business

The order of business of the Convention shall be as follows:

1. Call to order and preliminary matters.
2. Invocation.
3. Roll call.
4. Reading of Journal.
5. Reports of standing committees.
6. Reports of select committees.
7. Communications.
8. Introduction and first consideration and reference of proposals.
9. Second and final consideration of proposals.
10. Motions and resolutions.
11. Unfinished business.
12. General orders of the day.

Rule 34. Roll Call

The secretary shall call the roll at the opening of each session of the Convention and the president shall announce whether a quorum is present. The president shall announce, and the secretary shall enter in the Journal, the names of the members absent with leave of the Convention, and the names of members absent without such leave. If a voting machine is provided, vote by machine shall be taken whenever a roll call or a vote by ayes and nays is directed by or in accordance with these rules.

Rule 35. Petitions; Printing in Journal

No memorial, remonstrance, or petition shall be read or be printed in full in the Journal unless ordered read or printed by the Convention.

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Rule 36. Motions and Resolutions

When a motion is made, it shall be stated to the Convention by the president; or, if in writing, it shall be handed to the secretary and read aloud to the Convention before being debated.

Every resolution, other than a proposal, shall be submitted in triplicate and shall be referred to the appropriate committee. If the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full to the Convention before it is considered.

Rule 37. Reduced to Writing

Every motion or amendment shall be reduced to writing if the chairman or any ten members request it, and shall be entered upon the Journal, together with the name of the member making it, unless the motion is withdrawn by the maker or is ruled out of order by the chairman.

Rule 38. Withdrawal of Motion

After a motion has been stated by the president or read by the secretary, it shall be deemed to be in the possession of the Convention, but it may be withdrawn by the member at any time before being amended, or put to vote.

Rule 39. Privileged Motion

When a question is under debate, no motion shall be received except:

1. To amend the calendar and agenda.
2. To fix the time to which to adjourn.
3. To adjourn.
4. To take a recess.
5. To reconsider.
6. To call for the orders of the day.

1. To lay on the table.
2. For a Call of the Convention.

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4. To adjourn debate.
5. To postpone the previous question.
6. To postpone to a day certain.
7. To amend.
8. To disagree.
9. To postpone indefinitely.

The motions listed in this rule shall take precedence in the order which they stand arranged. All of them shall be decided by the affirmative vote of a majority of those present and voting, except that a motion for the previous question requires the affirmative vote of two-thirds of those present and voting and a motion to postpone indefinitely requires the affirmative vote of a majority of all members. When a recess is taken while a question is pending, consideration of such question shall be resumed when the Convention reconvenes, unless it determines otherwise. No motion to postpone to a day certain, or to commit, having been decided by the Convention, shall again be in order on the same day or at the same stage of the question. Whenever a proposal is being considered and a motion is then made, either to postpone indefinitely or to commit, amendments to the pending proposal shall first be in order before any vote is taken on any such motion.

### Rule 40. Motions Not Debatable

A motion to adjourn is always in order except when a motion to fix the time to which to adjourn, or a motion to amend the calendar and agenda, is pending. A motion to adjourn, a motion to lay on the table, a motion for recess pending the consideration of other business, and all matters relating to questions of order shall be decided without debate.

### Rule 41. Order of Putting Questions

All questions shall be put in the order in which they are made, except in the case of privileged motions.

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### Rule 42. Amendment Must Be germane

No motion or proposition relating to a subject different from that under consideration shall be admitted unless it is an amendment or substitute.

### Rule 43. Division of Question

Any member may call for a division of the question, which shall be divided if it includes propositions which are so distinct of substance that, when one is removed or deleted, a substantive proposition remains for the decision of the Convention. A motion to strike out and insert shall not be subject to division within the meaning of this rule.

### Rule 44. Previous Question

The method of ordering the previous question shall be as follows: Any member may move the previous question and, unless otherwise stated, the motion shall apply to the immediately pending question only. When such motion is so moved, the presiding officer shall put the question, "Shall the main question now be put?" This shall be ordered only by the affirmative vote of two-thirds of the members present and voting. After the seconding of a motion for the previous question and prior to the ordering of the same, a Call of the Convention may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question or questions, except demands for the yeas and nays, points of order, appeals from the decision of the chair, and a motion to

adjourn or to take a recess, all of which shall be decided without debate. The effect of ordering the previous question is to put an end to all debate and bring the Convention to a direct vote upon the immediately pending question, and such other pending questions as were specified in the motion in their order down to and including the main question; provided, however, that when the previous question is ordered, amendments then on the secretary's desk shall be acted upon.

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When a motion to reconsider has been taken under the previous question and decided in the affirmative, the fact that the previous question has been ordered shall have no operation or effect with respect to the question to which reconsideration has been ordered. If the Convention refuses to order the previous question, it shall resume consideration of the pending subject as though no motion for the previous question had been made.

### Rule 45. Motion for Reconsideration

Any member may move for a reconsideration of any question at the time or within the Convention or may give notice that he will make such a motion not later than the next succeeding session. If the member who gave the notice does not make the motion in the next succeeding session, any member may do so. The Committee on Style, Printing and Submission may move for reconsideration on any subsequent session day's notice of its intention to do so is given by writing to the secretary and entered upon the Journal. A motion to reconsider shall take precedence over all other questions, except a motion to amend the calendar and agenda, a motion to fix the time to which to adjourn, a motion to adjourn, and a motion to recess. A motion to reconsider shall not be renewed on the same day.

### Rule 46. Ordering Calls of the Convention

Calls of the Convention may be ordered upon motion by the affirmative vote of a majority of the members present and voting, but the initial vote in favor of such call shall not be less than twelve.

### Rule 47. Procedure on Call of Convention

After a call of the Convention is ordered the doors shall be closed and the members shall not be permitted to leave the floor of the Convention without permission of the president of the Convention. The sergeant at arms shall notify all members within the bar of the Convention of the call. The roll of the Convention shall be called

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Questions noted. The sergeant at arms may, upon motion, be permitted to enter the absentees. In such case, a list of the absentees shall be furnished by the secretary to the sergeant at arms, who shall bring them to the floor of the Convention with all possible speed. The sergeant at arms requires assistance in addition to the regularly appointed assistant sergeants at arms of the Convention, the president, upon motion, may deputize as a special assistant sergeant at arms any person properly qualified. The Convention may proceed to business under a Call of the Convention pending the arrival of all absentees.

### Rule 48. Order of Consideration of Proposals

In the prescribed order in which proposals introduced in the Convention are to be taken up or acted upon shall be as follows:

1. Introduction, first consideration, reference to a committee by the president, and ordered printed and distributed unless otherwise ordered by a majority of the members present.
2. Report of the committee and placing on the General Orders.
3. Consideration by the Committee of the Whole in order of their reference.

4. Report by the Committee of the Whole and reference to the Committee on Style, Drafting and Submission.
5. Report of the Committee on Style, Drafting and Submission.
6. Second consideration, final passage of each proposal.
7. Reference to the Committee on Style, Drafting and Submission for incorporation in final draft.
8. Report by the Committee on Style, Drafting and Submission of any complete revision of, or proposed amendment to, the Constitution.
9. Tentative adoption of any complete revision of, or proposed amendment to, the Constitution.
10. Third consideration and final passage of any complete revision of, or proposed amendment to, the Constitution.

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### Rule 50. Majority Vote on Proposals

On the final passage of every proposal, section, article and of any complete revision of or amendment to the constitution, the vote shall be taken by ayes and nays entered on the Journal and no proposal, section, article, or any such amendment or complete revision, shall be declared finally passed unless a majority of all members have voted in favor of the passage of the same.

### Rule 51. Calendar

The president shall cause to be prepared a calendar and agenda of business for each session of the Convention. The calendar shall be furnished to the secretary, who shall distribute it to the members at least six hours before the time set for the next session of the Convention, unless the president waives the time requirement prescribed in this rule as necessary to the orderly or expeditious conduct of the business of the Convention. The Convention, at any time or from time to time during a session, may adopt, reject, or modify the daily calendar and agenda presented to it.

### Rule 52. Unfinished Special Orders

Any subject matter which has been made a special order for a particular day, but which is not reached on that day, shall then come up for consideration under the order of "Unfinished Business" at the next succeeding session of the Convention.

### Rule 53. Limitation on Debate and Control of Dilatory Procedure

The Convention by the affirmative vote of a majority of all the members of the Convention elected and serving may limit the time of debate on any matter before the Convention and may designate a method of allocating among members the period allowed for debate.

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### Rule 54. Reading of Documents

When the reading of a document is called for and an objection is raised to such reading, the Convention shall determine without debate whether the document shall be read.

### Rule 55. Presentation and Endorsement of Petitions

Petitions received by an officer of the Convention or by any member may be initiated by the recipient, and referred to the delegates from the district from which the petition came.

### Rule 56. Putting the Question

The president shall put all questions substantially in this form: "As many as are in favor of (as the question may be) say 'aye'"; and after the affirmative vote is expressed, "as many as are opposed say 'no'." If the president is in doubt as to the vote, he may order a division or roll call of the Convention.

A division of the Convention may be had upon the demand of five members. When a division of the Convention is ordered, the president shall declare the result.

A roll call may be had upon the demand of ten members.

On a tie vote the question shall be determined as lost.

### Rule 57. Recognition during Roll Call

After a question has been stated by the president, and the call of the roll has been started, the president shall not recognize a member for any purpose except upon points of order, or for the purpose of explaining his vote on a proposal or amendment thereto, until after the announcement of the vote. The secretary shall enter upon the Journal the names of those voting "aye" and the names of those voting "no."

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## ILLINOIS

### Rule 58. Roll Call

At the roll call to be taken at the opening of each session and upon Calls of the Convention, the names of the members shall be called alphabetically or the voting machine shall be used, if provided, and the absentees noted, after which the names of the absentees shall be called.

### Rule 59. Amendment of Suspension of Rules

These rules may be amended by the affirmative vote of a majority of all the members of the Convention elected and serving, after the proposed amendment has been submitted in writing, has been considered by the Committee on Rules and Credentials, and has been in the possession of the members not less than two session days prior to its consideration. The Committee on Rules and Credentials may be discharged from further consideration of any proposed amendment upon the same notice and by the same vote as at provided in rule 26 for proposals. One or more rules may be suspended for a specified purpose by the affirmative vote of two-thirds of the members present or a majority of all the members of the Convention elected and serving, whichever constitutes the lesser number.

### Rule 60. Appeals--Form of Question

On all appeals from decisions of the Chair, the question shall be "Shall the appeal be sustained?" A favorable vote of a majority of the members present and voting shall sustain the appeal. The presiding officer may cast his vote on an appeal from his decision, and he shall have the right to explain his decision.

### Rule 71. Robert's Rules of Order

In all cases not covered by these rules, the controlling parliamentary authority shall be the latest edition of Robert's Rules of Order Revised.

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### Rule 61. Voting by the Electrical Roll Call System

When the Convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the presiding officer shall announce: "The question is on the passage of (designating the matter to be voted upon). All in favor of such question shall vote 'aye,' all opposed shall vote 'nay.' The Convention will not proceed to vote."

After affording the members sufficient time in which to vote, the presiding officer shall announce: "Have all voted who wish?"

and after a short pause he shall then say: "The secretary shall proceed to record the vote."

The secretary shall immediately start the vote recording equipment, and when completely recorded, the president shall announce the result. The secretary shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any member shall be privileged to vote or change his vote after the vote recording equipment has started to operate, and prior to the time the result is announced.

No member may cast the vote of another member in any session of the Convention, Committee of the Whole, or committee meeting, nor shall any person not a member cast a vote for any member. Any member who votes or attempts to vote for another member may be punished in such manner as the Convention determines. If a person not a member votes or attempts to vote for any member, he shall be barred from the floor of the Convention for the remainder of the session and may be further punished in such manner as the Convention determines proper. Proxy voting is not permitted.

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### Rule 73. "Present" Votes

Votes cast as "present" shall be recorded in the Journal as "Present," but such votes shall not be counted in determining the required number of votes on those measures or questions needing the affirmative vote of those "present and voting."

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## Part 11, Chapter 6

### COMPARATIVE RESEARCH DATA: Transaction of Business

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Rule 40. Order of Business. The order of business of the Convention shall be as follows:

1. Call to order and preliminary matters.
2. Invocation.
3. Roll Call.
4. Report of Committee on Calendar and Agenda.
5. Reports of other standing committees.
6. Reports of select committees.
7. Communications from state officers.
8. Introduction and first reading and reference of proposals.
9. Second and final reading of proposals.
10. Motions and resolutions.
11. Unfinished business.
12. Special orders of the day.
13. General orders of the day.

### Extensions

Rule 41. Printing in Journal. No memorial, remonstrance, or petition shall be read or printed in full in the Journal unless ordered read or printed by the affirmative vote of a majority of those present and voting.

### Motions and Resolutions

Rule 42. Stating Motions. When a motion is made, it shall be stated to the Convention by the president; or, if in writing, it shall be handed to the chief clerk and read aloud to the Convention before being debated.

A "motion" within this rule includes only the privileged motions listed in Rule 43 or a motion of merely procedural character, such as to take from the table, to send the sergeant-at-arms for absentees,

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et cetera. All other matters (except delegate proposals and committee recommendations) shall be presented as resolutions.

Every resolution, other than a proposal, shall be submitted in triplicate, shall be read by title, and shall be referred to the appropriate committee. If the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full to the Convention before it is considered.

Rule 43. Reduced to Writing. Every motion shall be reduced to writing if the president or any delegate shall request it, and shall be entered upon the Journal, together with the name of the delegate making it, unless the motion is withdrawn by the maker or is ruled out of order by the president.

Rule 44. Withdrawal of Motions. After a motion has been stated to the president or read by the chief clerk, it shall be deemed to be in the possession of the Convention, but it may be withdrawn by the maker at any time before being amended or put to vote.

Rule 45. Privileged Motions. When a question is under debate, no motion shall be received but:

1. To amend the calendar and agenda.
2. To fix the time to which to adjourn.
3. To adjourn.
4. To take a recess.
5. To reconsider.
6. To call for the Orders of the Day.
7. To lay on the table.
8. For a Call of the Convention.
9. To limit debate.
10. To move the previous question.
11. To postpone to a day certain.
12. To postpone indefinitely.
13. To commit.
14. To amend.

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The motions listed in this rule shall take precedence in the order in which they are arranged. All of them shall be decided by the vote of a majority of those present and voting, except that any motion to postpone indefinitely shall be decided by the affirmative vote of a majority of all the delegates to the Convention. When a recess is taken while a question is pending, consideration of such question shall be resumed when the Convention reassembles, unless it determines otherwise. No motion to postpone to a day certain, or to commit, having been decided by the Convention, shall again be in order on the same day or at the same stage of the question. Whenever a proposal is being considered and a motion is then made, either to postpone indefinitely or to commit, amendments to the pending proposal shall first be in order before any vote is taken on any such motion.

Rule 46. Motions Not Debatable. A motion to adjourn shall always be in order except when a motion to fix the time to which to adjourn, or a motion to amend the calendar and agenda is pending. A motion to adjourn, a motion to lay on the table, a motion for a recess pending the consideration of other business and all matters relating to questions of order, shall be decided without debate.

Rule 47. Motion to Take from the Table. After one session day's notice any matter laid on the table may be taken therefrom on motion,

provided, that the business of the class of the matter to be taken from the table would then be in order.

Rule 28. Order of Putting Questions. All questions shall be put in the order in which they are moved, except in the case of privileged motions.

Rule 29. Amendment Must be Germane. No motion or proposition relating to a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 30. Amendments to Be Printed. No amendment to any committee shall be considered unless it is submitted in writing and a copy

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thereof delivered to the clerk at least ten days before the time the amendment is offered.

Rule 31. Division of Question. Any delegate may, at all times, division of the question, which shall be divided if it includes propositions which are so distinct in substance that when one is taken for granted, a substantial proposition remains for the decision of the Convention. A motion to strike out and insert shall not be subject of division within the meaning of this rule.

Whenever a question has been divided, no final vote shall be taken on any division until all of the divisions thereof have been considered for amendment, after which further amendments to any division shall be in order, and thereafter each division will be put to final vote.

#### Motion Calling For The Previous Question

Rule 32. Method of Ordering. The method of ordering the previous question shall be as follows: Any delegate may move the previous question and, unless otherwise stated, the motion shall apply to the pending question only. The presiding officer shall put the question, "Shall the main question now be put?" This shall be ordered only by a majority of the delegates present and voting. After the voting, if a motion for the previous question and prior to the ordering of the same, a Call of the Convention may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question. In questions, except demands for recesses and nays, points of order, appeals from the decision of the clerk, and a motion to adjourn or to take a recess, all of which shall be decided without debate. The effect of ordering the previous question shall be to put an end to all debate and bring the Convention to a direct vote upon the pending question. When a motion to reconsider has been taken under the previous question and decided in the affirmative, the fact that the previous question had been ordered shall have no operation or effect with respect to the question for which reconsideration has been ordered. If the Convention refuses to order the previous

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question, it shall resume consideration of the pending subject as though no motion for the previous question had been made.

Rule 33. Five Day Adjournment. A motion to adjourn the Convention sine die shall not be voted upon until at least forty-eight hours after notice is given to the delegates; and to pass this motion requires an affirmative vote of a majority of all the delegates to the Convention.

#### Rule 34. Reconsideration in Convention.

(a) Any question finally adopted or rejected by the Convention may be reconsidered, no motion or any delegate at any time before the Convention adjourns sine die.

(b) No question may be reconsidered more than once, except if the reconsideration is moved by direction of the Committee on Style, Grafting, and Arrangement, or by the Convention Committee which reported on the matter to be reconsidered, or if moved after

the motion is signed by fifteen delegates to the Convention.

When the Convention is in session, no motion may be considered until the question has been after it is moved, and shall require a majority of the delegates to the Convention.

When the Convention is in session, no motion may be considered until the question has been after it is moved, and shall require a majority of the delegates to the Convention.

#### Motion Calling For The Convention

Rule 35. Quorum Called. A call of the Convention may be ordered, either in or absent of a quorum.

Rule 36. Roll Called. The roll of the Convention shall be called

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at the beginning of the session, and at such other times as may be ordered by the Convention. The roll shall be called by the clerk, and the delegates shall be called in alphabetical order. The roll shall be called by the clerk, and the delegates shall be called in alphabetical order. The roll shall be called by the clerk, and the delegates shall be called in alphabetical order.

Rule 37. Minutes of the Convention. The minutes of the Convention shall be kept by the clerk, and shall be read at each session. The minutes shall be read at each session, and the delegates shall be called in alphabetical order.

Rule 38. Committee on Style, Grafting, and Arrangement. The Committee on Style, Grafting, and Arrangement shall be appointed by the Convention, and shall report to the Convention at each session. The Committee shall report to the Convention at each session, and the delegates shall be called in alphabetical order.

#### Special Orders

Rule 39. Special Orders. The Convention may, at any time, order any business to be taken up at a certain hour, and the delegates shall be called in alphabetical order.

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Rule 40. Committee on Style, Grafting, and Arrangement. The Committee on Style, Grafting, and Arrangement shall be appointed by the Convention, and shall report to the Convention at each session. The Committee shall report to the Convention at each session, and the delegates shall be called in alphabetical order.

the committee which has the subject matter of the petition under consideration. The chairman of the committee, on behalf of the Convention, shall give appropriate notice of the receipt of the petition.

Rule 64. Calls of Convention-Ayes and Nays. Upon Calls of the Convention, and in taking the ayes and nays upon any question, the names of the delegates shall be called alphabetically.

Rule 65. Putting the Question. The president shall put all questions substantially in this form: "As many as are in favor of (as the question may be) say 'aye'"; and after the affirmative vote is expressed, "As many as are opposed say 'no'." If the president is in doubt as to the vote, he may order a roll call vote of the Convention.

A roll call vote of the Convention may be had upon the demand of ten delegates.

Rule 66. Recognition during Roll Call. After a question has been stated by the president, and the call of the roll has been started by the chief clerk, the president shall not recognize a delegate for any purpose except upon points of order, until after the announcement of the vote by the chief clerk. The chief clerk shall enter upon the Journal the names of those voting "aye" and the names of those voting "no".

Rule 67. Roll Call. At the roll call to be taken at the opening of each session and upon Calls of the Convention, the names of the members shall be called by the chief clerk, and the absentees noted.

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Rule 68. Amendment or Suspension of Rules. These rules may be amended by the affirmative vote of a majority of all the delegates to whom attention after the proposed amendment has been submitted in writing, has been considered by the Committee on Rules, Credentials, Finance, Budget, and has been in the possession of the delegates for more than two session days prior to its consideration. A rule may be suspended by the affirmative vote of a majority of all the delegates to whom attention.

#### Appeals

Rule 69. Form of Question. On all appeals from decisions of the Convention, the question shall be "shall the appeal be sustained?" A two-thirds vote of a majority of the delegates present and voting shall sustain the appeal. The presiding officer may cast his vote in an appeal from his decision, and he shall have the right to explain his decision.

Rule 70. Tabling Appeals. An appeal may be laid on the table but shall not, as a consequence, thereby either remove or carry with it the subject matter pending before the Convention at the time the appeal was taken.

Rule 71. Privilege. In all cases not covered by these rules, or subsequent amendments to them, the controlling parliamentary authority shall be Robert's Rules of Order Revised (14th Edition).

#### Method of Voting

Rule 72. Voting by the Electrical Roll Call System. When taking the ayes and nays on any question to be voted upon, the electrical roll call system may be used, and when so used shall have the same force and effect as a roll call taken as otherwise provided in these rules.

When the Convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the presiding officer shall announce "The question is on the question designating the matter to be voted upon. All in favor of the question shall say 'aye', all opposed shall vote 'nay'. The

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Convention will now proceed to vote".

After affording the delegates sufficient time in which to vote, the presiding officer shall announce "Have all voted?" and after a

short pause he shall say: "The chief clerk shall proceed to record the vote."

The chief clerk shall immediately start the vote recording equipment, and when completely recorded, the president shall announce the result to the Convention. The chief clerk shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any delegate shall be privileged to vote or change his vote after the vote recording equipment has started to operate, and prior to the time the chief clerk has recorded the vote.

No delegate shall vote for another delegate, nor shall any person not a delegate cast a vote for any delegate. Any delegate who shall vote or attempt to vote for another delegate may be punished in such manner as the Convention may determine. If a person not a delegate shall vote or attempt to vote for any delegate, he shall be barred from the floor of the Convention for the remainder of the session and may be further punished in such manner as the Convention may determine properly.

#### Appendix B

A RESOLUTION that each delegate shall have only one (1) vote on only one (1) substantive committee and matters generally relating thereto, to read as follows:

RESOLVED, that each delegate shall have only one (1) vote on only one (1) substantive committee; and be it further

RESOLVED, that the three (3) delegates presently voting on more than one (1) substantive committee shall continue to be liaison members to other substantive committees but shall not be a voting member except on the one substantive committee to which they are assigned to exercise their vote.

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#### Part II, Chapter 6

#### COMPARATIVE RESEARCH DATA: Transaction of Business

#### MICHIGAN

Rule 42. Order of Business. The order of business of the convention shall be:

1. Call to order.
2. Invocation.
3. Roll call.
4. Reports of standing committees.
5. Reports of select committees.
6. Communications from state officers.
7. Introduction, first reading and reference of proposals.
8. Second reading of proposals.
9. Third reading of proposals.
10. Motions and resolutions.
11. Unfinished business.
12. Special orders of the day.
13. General orders of the day.

#### Petitions

Rule 43. Printing in Journal. No memorial, remonstrance, or petition shall be printed in full in the daily journal unless ordered read or printed by a majority vote of those present.

#### Motions and Resolutions

Rule 44. Putting Motions. When a motion is made, it shall be stated by the president; if, in writing, it shall be handed to and read aloud by the secretary before being debated.

Every resolution, other than a proposal, shall be submitted in appropriate, shall be read by title, and shall be referred to the appropriate committee. When the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full before it is considered.

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Rule 45. Reduced to Writing. Every motion shall be reduced to writing at the president or any delegate shall request it, and shall be



entered upon the journal, together with the name of the delegate making it, unless withdrawn by the maker or ruled out of order by the president.

Rule 46. When in possession withdrawn. After a motion has been stated by the president or read by the secretary, it shall be deemed to be in the possession of the convention, but may be withdrawn at any time before being amended or put to a vote.

Rule 47. Precedence of motions. When a question is under debate, no motion shall be received but—

1. To fix the time to which to adjourn.
2. To adjourn.
3. To take a recess.
4. To reconsider.
5. To lay on the table.
6. For a call of the convention.
7. To limit debate.
8. For the previous question.
9. To postpone to a day certain.
10. To commit.
11. To amend.
12. To postpone indefinitely.

Such motions shall take precedence in the order in which they stand arranged, and shall be decided by a majority vote of those present and voting, except the motion to postpone indefinitely, which shall be decided by a majority vote of the delegates elected. When a recess is taken during the pendency of any question, the consideration of such question shall be resumed upon reassembling unless otherwise determined. No motion to postpone to a day certain, or to commit, being decided, shall be again allowed on the same day and at the same stage of the question. Whenever a proposal is up for consideration at any stage of procedure, and a motion is made to postpone indefinitely, or to commit, amendments

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to the proposal shall be in order before taking a vote on any such motion.

Rule 48. Motions not debatable. A motion to adjourn shall always be in order except when a motion to fix the time to which to adjourn is pending. A motion to adjourn, a motion to lay on the table, and all matters relating to questions of order, shall be decided without debate. A motion for a recess, pending the consideration of other business, shall not be debatable.

Rule 49. Order of putting questions. All questions shall be put in the order they were moved, except in the case of privileged questions.

Rule 50. Amendments to be germane. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 51. Division of question. Any delegate may call for a division of the question, which shall be divided if it comprehends propositions in substance so distinctly that one being taken away a substantive proposition shall remain for the decision of the convention. A motion to strike out and insert shall be deemed indivisible.

#### Motions for the Previous Question

Rule 52. Method of ordering. The method of ordering the previous question shall be as follows: Any delegate may move the previous question and unless otherwise stated the motion shall apply to the pending question only. This being seconded by at least 10 delegates, the Chair shall put the question, "Shall the main question now be put?" This shall be ordered only by a majority of the delegates present and voting. After the seconding of the previous question and prior to ordering the same, a call of the convention may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question or questions, except demands for the yeas and nays.

points of order, appeals from the decision of the Chair, and a motion to adjourn or to take a recess, which shall be decided without debate. The effect of the previous question shall be to put an end to all debate and

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bringing the convention to a direct vote upon the pending question. Questions in their order down to and including the main question: Privileged, however, that when the previous question shall be ordered, amendments then on the secretary's desk shall be disposed of. When a motion to reconsider is taken under the previous question and is decided in the affirmative, the previous question shall have no operation upon the question to be reconsidered. If the convention shall refuse to order the previous question, the consideration on the subject shall be resumed as though no motion for the previous question had been made.

Rule 53. Motion for reconsideration. Any delegate may move for reconsideration of any question at the same or next succeeding session of the convention or the committee on style and drafting may move for reconsideration on any subsequent day if 1 session day's notice of its intention to do so is given in writing to the secretary, which shall be spread upon the journal. A motion to reconsider shall take precedence of all other questions, except a motion to fix the time to which to adjourn, a motion to adjourn and a motion to recess. No motion to reconsider shall be renewed on the same day.

#### Motion for Calls of the Convention

Rule 54. Ordering calls of the convention. Calls of the convention may be ordered upon motion by a majority of the delegates present, but the total vote in favor of such call shall not be less than 15 in number. A motion for a call of the convention shall not be entertained after the previous question is ordered.

Rule 55. Procedure. After a call of the convention is ordered the doors shall be closed and the delegates shall not be permitted to leave the floor of the convention without permission of the convention. The sergeant at arms shall notify all delegates within the bar. If the convention is the call, the roll of the convention shall be called by the secretary and the absentees noted. The sergeant at arms may, if so directed, be dispatched after the absentees. In such case a list of the absentees

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shall be furnished to the secretary. The sergeant at arms, who shall bring such absentees to the floor of the convention within all possible speed. In case the sergeant at arms shall require assistance in obtaining the regularly appointed assistant sergeants at arms of the convention, the president may, upon motion, deputize any person properly qualified as a special assistant sergeant at arms. The convention may proceed in business under a call of the convention pending the arrival of any absentees.

Rule 56. Majority vote on proposals. On the passage of every principal, section, article and any complete revision of or amendment to the constitution, the vote shall be taken by yeas and nays, and entered on the journal, and no proposal, section, article or any such amendment or complete revision shall be deemed passed unless a majority of all the delegates elected to the convention shall have voted in favor of the passage of the same.

#### Special Orders

Rule 57. Intriguing special orders. On a subject matter from the special order list a majority of 10 delegates have been reached in that list, shall one of the members of the order committee be present at the next succeeding session.

Rule 58. Limitation on debate and method of debate. The convention by resolution may limit the time of debate on any subject matter before the convention, designate a method of calling the previous question for debate among delegates, and take appropriate action on the trial of debate procedure.

#### Reading and Printing of Papers

Rule 59. Reading. When the reading of a paper is called for by a member of the convention, such reading, the convention by a majority of the delegates present and voting shall determine what relative position of the paper shall be read.

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Rule 60. Presentation and endorsement of petitions. Petitions received by any officer of the convention or by any delegate may be introduced by the recipient, and by him handed directly to the chairman or clerk of the committee which has the subject matter of the petition under consideration. The chairman of the committee, on behalf of the convention, shall give appropriate notice of the receipt of the petition.

Rule 61. Calling of convention yeas and nays. Upon calls of convention, and in taking the yeas and nays upon any question, the names of the delegates shall be called alphabetically unless a voting machine is provided in which case it shall be used.

Rule 62 (As amended). Putting the question. The president shall distinctly put all questions in this form: "As many as are in favor of (as the question may be), say 'aye,'" and after the affirmative vote is expressed, "as many as are opposed, say 'no.'" If the president doubts, he may order a division of the convention.

A division of the convention may be had on the demand of 10 delegates, or a roll call if the convention may be demanded by a vote of 10 of the delegates present on any pending question. When a division of the convention is ordered, a rising vote shall be taken or the voting machine may be used, if provided, and the president shall declare the result. In a rising vote the question shall be deemed as lost.

Rule 63. Recognition during roll call. After a question has been stated by the president, and the call of the roll has been started by the secretary, the president shall not recognize a delegate for any purpose, except upon points of order, until after the announcement of the vote by the secretary. The secretary shall enter upon the journal the names of those voting "no." No delegate is privileged to explain or writing his vote in record roll call votes. The written explanation shall be included in the journal if presented to the secretary before the next session of the convention.

Rule 64 (As amended). Roll call. At the roll call at the opening of each session and upon calls of the convention, the names of the members shall be called by the secretary, or the voting machine shall be used if provided and the absentees noted, after which the names of the absentees

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Article 1, Section 1.

Rule 65 (As amended). Abstaining from vote. No delegate shall be considered as abstaining from vote in a roll call unless he shall have announced his intention to abstain before the voting starts. He may withdraw his vote at any time before such abstention. Upon any announcement of abstention, the delegate making such announcement, upon request of the delegates, shall be required to state his reasons.

Rule 66 (As amended). Amendment or suspension of rules. The rules of the convention may be amended by a majority vote of the delegates.

Article 1, Section 2. Rules shall be amended unless such amendment is in writing, has been considered by the committee on rules and has been recommended in the possession of the convention, session days prior to its consideration. Rules may be suspended by a vote of 2/3 of the delegates present by the journal entries.

## Appeals

Rule 67. Form of question. On all appeals from decisions of the Chair, the question shall be "shall the judgment of the Chair stand as the judgment of the convention?" and a question shall be decided by a majority vote of those present and voting by a recorded machine vote, unless otherwise directed by the convention.

Rule 68. Debate on Appeals. No delegate shall speak on the question of an appeal more than once without leave of the convention by a majority vote of those present and voting.

Rule 69. Tabling appeals. An appeal may be laid on the table but shall not carry with it the subject matter before the convention at the time such appeal is taken.

Rule 70. Language. In all cases not provided by these rules, the committee shall be guided by the Manual of Legislation of the State.

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Rule 71. Appropriations. No monetary resolution proposing an appropriation of expenditure of money shall be acted upon until the convention has first having been referred to some appropriate committee for consideration and recommendation.

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## Method of Voting

Rule 72. Voting by the electrical roll call system. When taking the yeas and nays on any question to be voted upon, the electrical roll call system may be used, and when so used shall have the same force and effect as a roll call taken as otherwise provided in these rules.

When the convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the presiding officer shall announce:

"The question is on the passage of (designating the matter to be voted upon). All in favor of such question shall vote 'yea,' all opposed shall vote 'nay.' The convention will now proceed to vote."

When sufficient time has been allowed the delegates to vote, the presiding officer shall announce: "Have all voted?" And after a short pause shall say: "The secretary shall proceed to record the vote."

The secretary shall immediately start the vote recording equipment, and when completely recorded, shall announce the result to the convention. The secretary shall enter upon the journal the result in the manner provided by the rules of the convention.

Any delegate shall be privileged to vote or change his vote after the vote recording equipment has started to operate, by rising in his seat and announcing his vote before the result of the vote has been announced by the secretary.

No delegate shall vote for another delegate, nor shall any person vote a delegate cast a vote for a delegate. In addition to such penalties as may be prescribed by law, any delegate who shall vote or attempt to vote for another delegate may be punished in such manner as the convention may determine. If a person not a delegate shall vote or attempt to vote for any delegate, he shall be barred from the floor of the convention for the remainder of the session and may be further punished in such manner as the convention may deem proper, in addition to such punishment as may be prescribed by law.

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## Part II, Chapter 6 COMPARATIVE RESEARCH DATA: Transaction of Business

### NEW RULES

Article 1, Section 3. Reading, Debate and Voting. In the operation of the convention, the following shall, at the request of any ten delegates, be taken up and debated or voted upon. All amendments proposed in the debate shall be in writing and shall be submitted in writing, and if adopted, shall be entered in a separate sheet of paper in the clerk's desk and made part of the report of the convention.

Article 1, Section 4. Committee on Rules. Whereas that the committee on the constitution shall have the honor to order any member of the committee as provided in the constitution, and such motion shall be decided by a majority vote of the affirmative vote of a majority of those present and voting.

Article 1, Section 5. Reconsideration. A motion to reconsider shall be in order and may be seconded by a member having voted with the majority in the original vote of the committee or may be adopted before the committee rises. The motion shall be decided by a majority of those present and voting; provided, however, that once a motion to reconsider has been made and failed, no further motion to reconsider in that vote shall be in order.

Rule 71. Application of Convention Rules. The rules of the convention shall be observed in the committee of the whole so far as



entered on the journal; it shall not be declared passed unless a majority of all the delegates elected to the convention shall have voted in favor of its passage.

Rule No. 61. Amendment or Suspension. These rules may be amended by the affirmative vote of a majority of all the delegates, after the proposed amendment has been submitted in writing, has been considered by the committee on rules and has been in the possession of the delegates in written form not less than two session days prior to its consideration. A rule may be suspended by the affirmative vote of two-thirds of the delegates present and voting, or by a majority of all the delegates elected to the convention, whichever constitutes the lesser number.

Rule No. 62. Supplementary Rules. The rules and parliamentary practice as set forth in Mason's Manual of Legislative Procedure shall govern the convention in all cases not inconsistent with these rules.

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## Part II, Chapter 6

### COMPARATIVE RESEARCH DATA: Transaction of Business

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Rule No. 4. Time of Daily Meetings. The time of convening shall be 10:00 a.m. on Mondays and 9:30 a.m. on other days unless otherwise ordered by a majority vote of the delegates present.

Rule No. 16. Order of Business. At the meetings of the convention the order of business shall be as follows:

- |            |   |                                 |
|------------|---|---------------------------------|
| First      | - | Call to Order                   |
| Second     | - | Prayer                          |
| Third      | - | Reading and Approval of Journal |
| Fourth     | - | Leaves of Absence               |
| Fifth      | - | Roll Call                       |
| Sixth      | - | Communications and Petitions    |
| Seventh    | - | Reports of Committees           |
| Eighth     | - | Introduction of Proposals       |
| Ninth      | - | Introduction of Resolutions     |
| Tenth      | - | Consideration of Calendar       |
|            |   | (a) Third consideration         |
|            |   | (b) Second consideration        |
|            |   | (c) First consideration         |
|            |   | (d) Resolutions                 |
| Eleventh   | - | Unfinished Business             |
|            |   | (a) Reports of committees       |
|            |   | (b) Introduction of proposals   |
|            |   | (c) Introduction of resolutions |
| Twelfth    | - | Announcements                   |
| Thirteenth | - | Adjournment                     |

Any question may, by a majority vote of the Delegates present, be made a special order of business. Any question having been made a special order for a particular day, and not having been reached on that day, shall be upon the order of "Unfinished Business" on the next succeeding Convention day.

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### Legislation

Rule 19. Voting. Delegates Required to be Present and Vote; Negative Vote.

If a Delegate shall be present within the convention hall during consideration of the Convention, unless fully excused or necessarily absent, and shall be recorded as voting for or against each question taken from the Chair which requires a roll call vote, unless excused from the Convention. The refusal of any Delegate to vote shall be deemed and recorded as a negative vote on each question on which such refusal to vote is recorded, unless he be excused or unless he have

a direct personal or pecuniary interest in connection with the pending question.

### Delegate Having Personal Interest not to Vote

A Delegate who has a personal or private interest in any proposal pending before the Convention shall disclose the fact to the Convention, and shall not vote thereon.

### Excused from Voting

A Delegate desiring to be excused from voting shall, when a roll is called, make a brief statement of the reasons for making such request, and the question on excusing him shall then be decided by the President without debate.

### Changing Vote Prohibited; Explanation if Absent

No Delegate may vote or change his vote after the result is announced by the President. Should a Delegate be recorded erroneously on any vote, he may at any time, make a statement to that effect which shall be entered on the Journal. Similarly, should a Delegate be absent when a vote is taken on any question, he may later, with the permission of the Convention, make a statement for entry in the Journal indicating how he would have voted had he been present when the roll was taken, and the reasons therefor may be submitted in writing or delivered orally, not to exceed five minutes.

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#### PENNSYLVANIA

### Delegates Prohibited at Clerk's Desk During Roll Call

No Delegate or other person shall be permitted at the Reading Clerk's desk during the recording, counting or verification of a roll call vote.

### Verification

Upon completion of a roll call and before the result is announced, if there appears to be need for verification, the President may direct the Secretary to verify it, or five Delegates may demand a verification. No Delegate may change his vote after the affirmative or negative roll has been declared verified.

### Demanding Yeas and Nays

The yeas and nays on any question may be demanded by not less than ten Delegates.

### Electric Roll Call

On any question requiring the yeas and nays, the electric roll call system shall be used. On all other questions to be voted upon, the President may, in his discretion, order the yeas and nays taken by the electric roll call system or voice vote or, upon demand of two Delegates before the result of a vote has been declared, the yeas and nays shall be taken by the electric roll call system.

In the event the electric roll call system is not in operating order, the President shall order all yeas and nays votes to be taken by calling the roll, as provided in the Rules of the Convention.

When the Convention is ready to vote upon any question requiring the yeas and nays and the vote is to be taken by the electric roll call system, the President shall state, "The question.....(designating the matter to be voted upon)." The President shall then unlock the voting machine and announce, "The Delegates shall now proceed to vote." Once the voting has begun, it shall not be interrupted, except for the purpose of questioning the validity of a Delegate's vote before the result is announced.

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When, in the judgment of the President, reasonable time has been allowed all Delegates to vote, he shall ask the question, "Have all Delegates present voted?" After a pause, the President shall lock the machine and instruct the Clerk to record the vote, and the President shall announce the result of the vote.

After the voting machine is locked, no Delegate may change his vote, and the votes of tardy Delegates will not be recorded.

The vote as electrically recorded on the roll of Delegates shall not in any manner be altered or changed by any person.

No Delegate shall vote on behalf of another Delegate, except, as hereinafter provided, nor shall any person not a Delegate vote for a Delegate. Any Delegate who shall vote or attempt to vote on behalf of another Delegate, or a person not a Delegate, may be punished in such manner as a majority (82) of the Delegates determine.

Any Delegate or other person who willfully tampers with or attempts to disarrange, deface, impair or destroy in any manner whatsoever the electrical voting equipment used by the Convention, or who instigates, aids or abets with the intent to destroy or change the record of votes thereon shall be punished in such manner as a majority (82) of the Delegates determine.

A Delegate who has been appointed by the President to preside as President Pro Tempore may designate another Delegate to cast his vote on any question while he is presiding in accordance with his instructions from the Chair.

Roll Call Not to be Interrupted

When once begun, the recording of the yeas and nays shall not be interrupted.

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## Roll Call Vote

When the President or any delegate is not satisfied with a vote on a pending question, the President may order a roll call vote; or, upon request of two Delegates before the request of the vote is announced, he shall order a roll call vote.

Explanation of Vote

4 Delegate may submit a written explanation of his vote immediately following the announcement of the result of the vote, and have it printed in the Journal.

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## Rule No. 20. Motions.

## Adoption by Voice Vote

When a motion which is in order has been made, the President shall state it. The President shall then say, "Those in favor of the motion will say 'aye'; those opposed will say 'no'."

## Precedence

Motions shall have precedence in the following order:

- |         |   |                                     |
|---------|---|-------------------------------------|
| First   | - | To adjourn                          |
| Second  | - | For the previous question           |
| Third   | - | To recess to a certain time         |
| Fourth  | - | To lay on the table                 |
| Fifth   | - | To limit or extend limits on debate |
| Sixth   | - | To postpone to a certain time       |
| Seventh | - | To commit                           |
| Eighth  | - | To amend                            |
| Ninth   | - | To postpone indefinitely            |
| Tenth   | - | A main motion                       |

#### Postpone Indefinitely.

A motion to postpone indefinitely is debatable, requires a majority vote of the Delegates present and opens the main question to debate.

#### Main

A motion to adopt, to pass, to approve, to appoint, to elect, to reject, to rescind, etc.) is debatable and requires a majority vote of the Delegates present, unless otherwise required by these rules.

#### Submitted in Writing--Withdrawal

If the President, or any Delegate, requires it, a motion made shall be reduced to writing. Any motion may be withdrawn by the mover before amendment or decision.

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**Rule No. 21. Reconsideration.** When a question has once been decided in the affirmative or negative, it shall be in order for any two Delegates of the prevailing side to move for reconsideration. When the Convention has been equally divided on a question, or a proposal shall have failed to pass, by reason of not having a required majority, it shall be in order for any two Delegates of the negative side to move the reconsideration thereof. Provided, however, that no motion for the reconsideration of any vote shall be in order unless made on the same day the vote was taken, or within the next five days of actual session of the Convention. The motion to reconsider is debatable and requires a majority vote of the Delegates present.

In the event the vote on a proposal is reconsidered and the proposal shall have been referred to the Committee on Arrangement, Submission and Address to People, it shall be preceded by a motion requesting its return to the Convention for the purpose of reconsideration. The return motion is debatable only as to the purpose of the reconsideration and requires a majority vote of the Delegates present.

When a motion for reconsideration is decided, that decision shall not be reconsidered; nor shall any vote be reconsidered upon any of the following motions:

- (a) To adjourn or recess
- (b) To lay on the table
- (c) Previous question

**Rule No. 22. Debate - Limitations.** There can be no debate unless there is a question before the Convention, and debate must be confined to that question.

The asking of a question or the making of suggestions is not to be considered as debate. A Delegate shall be entitled to make inquiry concerning the meaning, the purpose or the effect of even an undebatable question.

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Unless by unanimous consent or unless otherwise provided by a majority vote of the Delegates present, no Delegate Committee Chairman except by leave of the Convention shall speak more than twice during the consideration of any question on the same day and at the same stage of proceedings except that the speaker may be permitted amendment or reconsideration. The speaker shall have the right to open and close debate whenever.

A Delegate Committee Chairman or member shall be permitted to speak no more than ten minutes at any one time.

No Delegate shall exceed any other Delegate the time to which he is entitled to speak on any matter.

**Rule No. 4. Adoption of Standing Rules.** The adoption of the Standing Rules shall require an affirmative recorded vote of a majority (82) of the Delegates to the Convention. When once adopted, such Standing Rules shall remain in effect, unless suspended or amended as provided in these rules.

**Rule No. 5. Suspension of Rules.** Any standing rule of the Convention may be suspended temporarily by a vote of two-thirds (109) of the Delegates to the Convention, except that rule requiring the consideration of proposals on three different days; Provided, That such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

**Rule No. 6. Amending Standing Rules.** No standing rule of the Convention shall be amended except by resolution adopted by an affirmative recorded vote of a majority (82) of the Delegates to the Convention. No such resolution shall be considered until it shall have been referred to the Committee on Rules and reported thereon by a majority vote of the committee members.

**Rule No. 7. Temporary Rules.** The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds (109) of the Delegates to the Convention, such temporary rule shall have the effect, for the time being, of a standing

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rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

**Rule No. 8. Parliamentary Rules.** In all cases not provided for by these Standing Rules of the Convention, the authority shall be Mason's Manual of Legislative Procedure.

All parliamentary rulings shall be the responsibility of, and shall be made by, the presiding officer.

#### **Rule No. 23. Schedule of Consideration.**

1. All public hearings by committees and subcommittees shall be completed on or before January 19, 1968, unless otherwise authorized by a majority (82) vote of the Convention.

2. All hearings on Delegate proposals shall be completed on or before January 19, 1968.

3. All committee proposals and supporting reports shall be submitted to the Convention on or before February 2, 1968.

4. Second consideration of all committee proposals shall be completed on or before February 7, 1968.

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#### Part II, Chapter 7 COMPARATIVE RESEARCH DATA: Lobbyists

#### Part II, Chapter 7 COMPARATIVE RESEARCH DATA: Lobbyists

#### MARYLAND

**Rule No. 73. Registration and Regulation.** The Convention by resolution adopted by a majority of all the delegates, shall have authority to issue rules or regulations with respect to the registration and appearance before it, or before any of its authorized committees or subcommittees, of any person engaged or hired, for a fee, salary or other compensation, to promote, advocate, influence, or oppose any matter pending before the Convention, or which might come before it or any of its committees or subcommittees. Such rules and regulations may include requirements that such persons shall register with the secretary and file such report of expenditures as may be required by such rules and regulations.

# APPENDIX

## REGULATIONS WITH RESPECT TO THE REGISTRATION AND APPEARANCE OF LOBBYISTS BEFORE CONVENTION OR ANY OF ITS AUTHORIZED COMMITTEES OR SUBCOMMITTEES

ADOPTED AND EFFECTIVE  
SEPTEMBER 22, 1967

### 1. Persons Covered.

(a) When used in this regulation the term "agent"

includes: Every person engaged or hired by any person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division, for a fee, salary or other compensation, including persons engaged or hired for an additional purpose, to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention; and

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(b) When used in this regulation the term

"representative witness" includes: Every person who, without fee, salary or other compensation other than reimbursement for expenses, as representative of any other person or of any firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division, appears before the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention.

When used in this regulation the terms "agent" and "representative witness" do not include an officer, elected or appointed official or regular employee of the State of Maryland or of any political sub-division of the State of Maryland who in the performance of his customary and regular duties as such officer, employee or elected or appointed official appears before the Convention, the Committee of the Whole or any committee or subcommittee of the Convention.

2. Time of Registration. No agent or representative witness will be permitted to appear before the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention unless he shall be properly registered on the docket for the registration of agents and representative witnesses which shall be maintained by the Secretary of the Convention. Before any agent shall undertake to promote, advocate, influence or oppose, directly or indirectly, any matter by communicating with any delegate, officer or member of the staff of the Convention, the agent shall be properly registered on the docket for the registration of agents. If the office of the secretary of the Convention is not available to accept the registration of an agent before the agent communicates with any delegate, officer or member

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of the staff of the Convention, the agent shall register with the secretary of the Convention as soon as possible, and in any event within three (3) calendar days after the agent communicates with any delegate, officer or member of the staff of the Convention.

3. Registration and Confirmation. An agent or a representative witness shall register by appearing personally at the office of the Secretary of the Convention or by a written and signed statement addressed to the Secretary of the Convention at Annapolis. To register, the agent or representative witness

shall state: Name, occupation, business and residence; address; the name and business and residence addresses of the person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division, by whom he has been engaged or hired or whom he represents, and the matter, proposal or area of interest with which he is concerned. If the representative witness has not been engaged or hired for any fee, salary or other compensation other than reimbursement for expenses, he shall so state.

Within ten (10) days after an agent or representative witness has registered, the agent or representative witness shall file with the Secretary of the Convention a written and signed confirmation by the person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division by whom he has been hired or engaged or whom he represents which shall confirm the information stated by the agent or representative witness to the Secretary of the Convention upon registration and which shall be signed by a principal officer of the firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division.

4. Failure to Comply. An agent or representative witness who fails to comply with the provisions of this regulation

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may by a majority vote of the Convention upon recommendation of the Committee on Rules, Credentials and Convention Budget be prohibited from appearing before the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention for a limited time or until the Convention adjourns sine die. The Committee on Rules, Credentials and Convention Budget before it recommends to the Convention that an agent or representative witness be temporarily or permanently prohibited from appearing shall notify the agent in writing by certified mail of the reasons for such recommendation and shall afford the agent or representative witness an opportunity to appear before the Committee on Rules, Credentials and Convention Budget at a date and time which shall be not less than ten (10) calendar days after receipt by the agent or representative witness of the written notice of the reasons for the Committee's recommendation.

5. Reports. Every registered agent or representative witness shall between the first and the tenth calendar day of each month while the Convention is in session file with the Secretary of the Convention and shall within thirty (30) calendar days after the Convention adjourns sine die file with the Secretary of State a complete and itemized cumulative statement of all receipts and disbursements, including reimbursed expenses, received or disbursed by him to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole or any committee or subcommittee of the Convention.

An agent who has been engaged or hired for an additional purpose by the person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division, for whom he acts as agent shall report among his receipts that part of his fee, salary or other compensation reasonably allocable for the performance of his duties as agent and shall state the basis for the allocation.

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The itemization of disbursements shall include at least the following: Travel and transportation, meals, lodging,

entertainment in excess of Ten dollars (\$10.00) for each item, secretarial services, printing and publication and other expenses.

b. Public Records. The registration of agents and representative witnesses with the Secretary of the Convention and the statements of receipts and disbursements filed by them with the Secretary of the Convention and the Secretary of State shall be available for public inspection. The Secretary of the Convention shall give every delegate written notice of the registration of agents and representative witnesses as promptly as possible.

c. Contingent Compensation. No person, firm, corporation, association, political sub-division or agency of the State of Maryland or any political sub-division shall engage or hire any person to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the whole or any committee or subcommittee of the Convention, for a fee, salary, or other compensation that is determined in whole or in part with reference to the result accomplished and no person shall accept any such employment or render any such service for a fee, salary or other compensation that is determined in whole or in part with reference to the result accomplished.

d. Exemption. The provisions of this regulation shall not be construed as affecting professional services in drafting, preparing, or institutional amendment or in advising clients or in rendering opinion as to the construction and effect of any institutional amendment which may be considered at the Convention. Professional services not otherwise connected with constitutional convention activities as an agent of or as a representative witness.

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#### Part II, Chapter 7 (COMPARATIVE RESEARCH DATA: Lobbyists)

##### PENNSYLVANIA

###### Article 24. Lobbyist.

###### Registration

Any natural person who is employed or engaged for compensation, by an individual or a partnership, committee, association, corporation, union, other organization, to advocate passage or defeat of legislation or institutional amendment or of any bill or resolution, before the beginning such activities,

submit to the Secretary of the Convention a registration statement made under oath or affirmation before an officer authorized by law to administer oaths setting forth the name and business address of the lobbyist, the name and address of the person, partnership, committee, association, corporation or other organization by whom he is employed or engaged, the name and address of the person, partnership, committee, association, corporation or other organization in whose interest he will advocate the passage or defeat of proposals of the Convention and the duration of his employment. Whenever any of the facts required herein change, the lobbyist shall file a revised statement.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or to undergo imprisonment not exceeding one year, or both.

###### Prohibition

No Delegate, officer or employee of the Convention shall, except within the scope of his Convention duties or employment, directly or indirectly, promote or oppose the passage of any proposed constitutional amendment or resolution by the Convention in the capacity of a lobbyist.

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##### BIBLIOGRAPHY

##### BIBLIOGRAPHY

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3. *Constitution for the State of Louisiana, with Notes and Explanatory (Special Studies)*. Baton Rouge, Louisiana: Louisiana State Law Institute, August 1954.
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## II. Committee on Rules, Credentials and Ethics

### A. Minutes

#### MINUTES

Minutes of the Committee on Rules,  
Credentials and Ethics of the  
Constitutional Convention of 1973

Held pursuant to notice mailed by  
the Secretary of the Convention on  
June 12, 1973

Committee Room 1, State Capitol  
Baton Rouge, Louisiana  
Monday, June 18, 1973, 2:00 p.m.

Presiding: The Reverend Mr. Stovall, Chairman of the  
Committee on Rules, Credentials and Ethics

#### Present

James L. Stovall  
Greg Arnette, Jr.  
Clyde F. Bel, Sr.  
Donald T. Bollinger  
Heloise Corne  
R. M. Elkins  
J. A. McDaniel  
Pegram Mire  
Alvin D. Singletary  
Thomas A. Velazquez  
Mrs. George E. Warren  
Ruth Miller, Ex. O.

#### Absent

Kenneth Gordon Flory  
J. K. Haynes  
Lawrence B. Sandoz, Jr.  
V. C. Shannon  
Tom Staggs

Chairman Stovall called the meeting to order and asked  
the secretary to call the roll. A quorum being present, the  
meeting proceeded. The chairman introduced Norma M. Duncan,  
director of research; Gene Tarver, research coordinator; and  
David Poynter, clerk of the convention. Mrs. Corne, secre-  
tary, briefed the committee on the last meeting, held  
January 31, 1973.

The first order of business was consideration of regu-  
lations on lobbying before the Constitutional Convention.  
Mr. Bel moved that a resolution regulating lobbying be adopted.  
Motion carried.

Delegate Bel then moved to consider the first prelimi-  
nary draft of the lobbying resolution. Motion carried. The  
draft is attached to and made part of these minutes as  
Appendix A.

Mr. McDaniel moved to hear Charles Smith, lobbyist for  
the Construction Industry Legislative Council. Motion car-  
ried. Mr. Smith pointed out a number of regulations he was  
in favor of imposing on lobbyists.

Mrs. Corne read the first section of the draft and

Mr. Bel moved to adopt lines 13-15 on page 1 as read. Motion  
carried.

After the reading of the next section, Delegate Arnette  
moved to amend line 16 on page 1 to include "expenses," after  
"value,". Motion carried.

Mr. Bollinger offered as a further amendment, to strike  
out the comma after "committees" on line 21 of page 1 and

insert in lieu thereof "or" and insert a period after "sub-  
committees" and delete the rest of the sentence.

Mr. Arnette offered as a substitute motion that a period  
be placed on line 20 of page 1 after "it" and that the rest  
of the sentence be deleted. Mr. Bollinger accepted the sub-  
stitute motion. Motion carried.

Delegate Arnette moved to adopt lines 16-23 of page 1  
as amended. Motion carried.

Mr. Singletary moved that lines 30-33 of page 1 be con-  
sidered before lines 24-26 of the same page. No objections.

Mr. Singletary moved to change "with or without" to "for"  
on line 30. Motion carried.

Delegate Singletary moved to adopt lines 30-33 as  
amended. Motion carried.

Mr. Bollinger moved to strike out the comma after "com-  
mittees", insert in lieu thereof "and", and delete "and dele-  
gates" on line 25 of page 1.

Delegate Velazquez offered a substitute motion to leave  
lines 24-26 as read by the secretary. Motion ruled out of  
order.

Mr. Bollinger withdrew the motion.

Mrs. Corne moved to adopt lines 24-26 as read by the  
secretary.

Mr. Bollinger offered his previous amendment.

Delegate McDaniel offered a substitute motion that the  
Constitutional Convention be governed under the act governing  
lobbying before the Louisiana Legislature. Motion ruled out  
of order.

Mr. Bollinger withdrew his amendment and Mrs. Corne with-  
drew the original motion.

Mr. Arnette moved to return to the order of the day.  
Motion carried.

The committee discussed at length, Rule No. 41 of the  
rules of the convention. Delegate Mire pointed out to the  
committee and to the staff that the word "substantially" on

line 17 of page 13 meant that the form on lines 19-23 is only a guide. He then moved to proceed to the next order of the day. Motion carried.

Delegate Arnette moved to change "top" to "bottom" on line 13 of page 13, Rule No. 41. Motion carried.

Mr. Velazquez moved to insert "each of" between "on" and "three".

Mr. Mire offered a substitute motion to delete "Each of" on line 29 of page 14. Mr. Velazquez accepted the substitute. Motion carried.

Delegate Velazquez moved for a division of the question concerning minority committee proposals and minority reports. Motion carried.

Mrs. Warren moved to instruct the research staff to draw up a provision to allow minority committee proposals and that the staff make any other suggestions which they might recommend for changing or improving the rules.

Mr. Velazquez offered to amend the motion to make the suggestions separate from the proposal. Motion carried as amended.

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Delegate Mire moved to recess until 10:00 a.m., June 19, 1973. Motion carried.

The meeting reconvened at 10:00 a.m. on June 19, 1973, with roll call being as follows:

Present

James L. Stovall  
Greg Arnette, Jr.  
Clyde F. Bel, Sr.  
Donald T. Bollinger  
Heloise Corne  
R. M. Elkins  
J. A. McDaniel  
Pegram Mire  
Alvin D. Singletary  
Thomas A. Velazquez  
Mrs. George E. Warren  
Ruth Miller, Ex. O.

Absent

Kenneth Gordon Flory  
J. K. Haynes  
Lawrence B. Sandoz, Jr.  
V. C. Shannon  
Tom Staggy

Chairman Stovall called the meeting to order and reviewed the agenda, which included consideration of minority committee proposals, alternative proposals, and the lobbying resolution.

Mr. Mire moved that the committee recommend to the Constitutional Convention on July 5, 1973, the resolution relative to providing for introduction of minority proposals. A copy of the resolution is attached to and made part of these minutes as Appendix B.

Mr. Bollinger offered as an amendment that the staff be instructed to proceed accordingly and allow the committees to

submit minority proposals. Mr. Mire accepted the amendment.

Delegate Velazquez moved to strike out "received in the same manner as" on line 26 of the resolution and insert in

lieu thereof "designated" and delete everything on line 27 after "proposal". Motion carried.

Mr. Arnette moved to strike out "one" and insert in lieu thereof "two". Motion withdrawn.

Delegate Velazquez moved to delete lines 9, 10 and 11 of the resolution. Motion defeated.

The motion to adopt the resolution carried.

Mrs. Warren moved to number the resolution Rule No. 40.1 and that the caption be Introduction of Minority Committee Proposals. Motion carried.

Mrs. Warren asked that a copy of the resolution be sent to each delegate so they will be aware of this decision of the committee.

Mrs. Warren moved to give Delegate O'Neill a chance to present his resolution to the committee. Motion carried.

Delegate Mire moved to consider the staff proposal on alternative proposals. Motion withdrawn.

Delegate Warren moved that there be a provision in the rules for the presentation of alternative proposals. Motion carried.

Mr. McDaniel moved to adopt Mr. O'Neill's resolution pertaining to alternative proposals.

Delegate Arnette offered as a substitute motion that the staff proposal on alternatives be considered. Motion carried.

7

Mr. Velazquez moved for reconsideration of the vote. Motion defeated.

Mr. Bollinger moved to adopt the staff resolution on alternative proposals. A copy of the staff resolution is attached to and made part of these minutes as Appendix C.

Mr. Arnette moved to delete "and" on line 35 and insert "and adoption" between "consideration" and "of" on line 35. Motion carried.

Delegate Velazquez moved to strike out the period on line 32 and add "; whenever one-third or more of the delegates request that a particular issue be placed on the ballot in the alternative, the issue will be referred to the Executive Committee." Motion withdrawn.

Mr. Velazquez then moved to delete the period on line 32 and add "; whenever one-third or more of the delegates request that a particular issue be placed on the ballot in the alternative, the issue shall be accepted for referral."

Delegate Arnette moved that the committee recess until 1:30 p.m.

Mr. Bollinger offered a substitute motion that the committee recess until 1:00 p.m. Substitute motion carried.

After lunch, Mr. Velazquez moved to the previous question. Motion carried.

Mr. Velazquez's motion to amend line 32 was defeated.

Mr. Arnette moved to reconsider the vote. Motion carried.

Mr. McDaniel offered as a substitute motion that lines 31 and 32 be deleted and the following inserted: "Whenever one-third or more of the delegates request that a particular issue

be placed on the ballot in the alternative, the matter will be referred to the Coordinating Committee. The committee will consider such issues submitted to it and report their recommendation to the convention. The convention will consider the report of the Coordinating Committee and shall proceed to vote on the placing of the alternative proposals on the ballot in the order of priority recommended by the committee. The first six and no more than six such alternative proposals so approved by the convention shall be placed on the ballot."

Delegate Arnette asked to amend Mr. McDaniel's substitute motion to include after "convention." and before "The," "A report on all proposals shall conform to the rules of adoption of proposals." Mr. McDaniel accepted the amendment.

Mr. Velazquez moved to amend Mr. McDaniel's substitute motion to insert "Executive Committee" in lieu of "Coordinating Committee". Mr. Velazquez withdrew the motion and offered in its place a motion to substitute "Coordinating Committee plus eight persons selected in Congressional district caucuses to comprise the committee to evaluate alternative proposals." Motion defeated.

Mr. Arnette asked that he be allowed to change his amendment to read as follows: "An alternative issue submitted to it by the above procedure may be introduced and reported by the Coordinating Committee as an alternative proposal at any time and shall conform to the rules for consideration and adoption of proposals." Change accepted.

Delegate McDaniel's motion, with Mr. Arnette's amendment, carried.

Mr. Singletary moved to amend the resolution by adding that portion of Mr. O'Neill's resolution which reads as follows:

"Each such alternative proposal shall be so worded as to present two positive choices to the people.

i.e. (Vote for One)

- A. ☐ For a unicameral (1 house) legislature.
- B. ☐ For a bicameral (2 houses) legislature."

Motion carried.

Delegate Bel moved to delete line 30 of the resolution. Motion withdrawn.

Mr. Bollinger moved to add a comma on line 29 after "election" and change "37A" to "37.1" in the three places it appears in the resolution. Motion carried.

Mrs. Corne moved to strike out everything after "proposals" on line 17 and insert in lieu thereof "will include to a greater extent, involvement of all voters of Louisiana in the convention." Motion carried.

Delegate Bollinger moved to adopt the resolution as amended. Motion carried.

Mr. Bel moved to read the lobbying proposal in sections. Motion withdrawn.

Delegate McDaniel moved to discuss the proposed rule on lobbying, and approve or disapprove said rule section by

section. Motion carried. A copy of the proposed rule is attached to and made part of these minutes as Appendix D.

Mr. McDaniel moved to adopt lines 1-14 of page 1 as read by the secretary.

On page 1, line 2, Mr. Bollinger moved to strike out "Rule \_\_\_\_," and insert in lieu thereof "Rule No. 96." Motion carried.

Mr. Arnette moved to amend line 13 of page 1 to include "possibly" between "which" and "may" and change "be" to "become". Motion carried.

Mr. McDaniel's motion to adopt lines 1-14 of page 1 carried.

Delegate Velazquez moved to adopt lines 16-28 on page 1 as read.

Mr. Bollinger moved to change "proposition" to "matter" on line 25. Motion withdrawn.

Mr. Velazquez's motion to adopt lines 16-28 on page 1 carried.

Mrs. Corne moved to adopt line 30 of page 1 through line 20 of page 2. Motion carried.

Mrs. Corne moved to adopt line 21 of page 2 through line 4 on page 3.

Lobbyist Charles Smith again requested permission to speak to the committee. Permission granted. Mr. Smith suggested the addition of the matter contained in the following motion by Mr. Velazquez.

Mr. Velazquez moved to change the semicolon at the end of line 27 of page 2 to a comma and add "unless said official

receives special compensation for these activities." Motion carried.

Mr. Singletary moved to delete on page 2, lines 21 and 22 and 23 up to the period. Motion withdrawn.

Delegate Velazquez moved to insert on page 2, line 23, after the period and before "The," the following: "A list of all such people shall be furnished each delegate." Motion carried.

Motion by Mrs. Corne carried.

Delegate Arnette moved to include after line 4 of page 1 another paragraph to read as follows:

"C. Each person registered according to these provisions shall be issued an identification badge containing the lobbyist's name and whom he represents, to be worn at all time when engaged in the activities regulated by this rule."

Motion carried.

Delegate Bollinger moved to reconsider Paragraph B. on page 2. Motion carried.

Mr. Bollinger moved to amend line 23 of page 2 by deleting the period after "booklet" and adding "and identification badges." Motion carried.

Mr. Singletary moved to table all sections considered heretofore and further moved that a two-thirds vote of the committee be required for reconsideration. Motion carried.

Delegate Bel moved to adopt lines 6-9 of page 3 as read. Motion carried.

Mrs. Corne moved to adopt lines 11-20 of page 3.

At 5:20 p.m., Delegate McDaniel moved that the committee adjourn. Motion carried.

James L. Stovall, Chairman

Greg Arnette, Jr. Vice Chairman

Beloise Corne, Secretary

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Mr. Arnette offered as a substitute motion that the revised section, Written Charges, Public Hearings, Notice, as prepared by the staff, be adopted with "3" placed in the blank. A copy of the revised section is attached to and made part of these minutes as Appendix E.

Mr. McDaniel moved to change the "3" to "5". Delegate Arnette accepted the change.

Delegate Singletary moved to change "apprise" to "notify" on line 8 of the revised section. Motion carried.

Delegate Arnette's substitute motion carried.

Mrs. Corne moved to adopt lines 22-29 of page 3.

Mr. Arnette moved to delete "the chairman of" on line 23 and insert on line 24 after "violiator", "any of the regulated activities of this rule.", delete "or" both places on line 25 and insert a comma in lieu thereof, add ", or delegates" at the end of line 25 and insert "meeting" between "fifteen" and "days" on line 26. Motion carried.

Mr. Arnette moved to amend the second sentence, starting on line 26, to read as follows: "For a second violation, the violator shall be denied such access and activities for not less than one month nor more than the duration of the convention."

Mr. Singletary offered as a substitute motion to insert a comma on line 28 after "meetings", delete "and" and add "and delegates" after "sessions". Motion carried.

Mrs. Corne's motion carried.

Mr. Bel moved to instruct the staff to put the rule on lobbying in the proper form. Motion carried.

13

Mr. Bel moved to adopt the entire provision dealing with lobbying as amended. Motion carried.

Mr. Singletary moved to reconsider the vote by which the provision dealing with lobbying was adopted and to table the motion to reconsider. Motion carried.

Mr. Bel moved to reconsider Rule No. 40. Motion carried.

Mr. Bel moved to change "signature" to "name" on line 33 of page 12 of the rules of the convention. Motion carried.

# FIRST PRELIMINARY DRAFT

CC-151

- 1 Constitutional Convention of Louisiana of 1973
- 2 COMMITTEE RESOLUTION NUMBER
- 3 Introduced by Mr. Stovall on behalf of the Committee on Rules,
- 4       Credentials, Ethics and Schedules
- 5       A RESOLUTION
- 6 Relative to lobbying before the Constitutional Convention.
- 7       BE IT RESOLVED that lobbying before the Constitutional
- 8 Convention shall be governed and regulated by the following
- 9 provisions:
- 10       1. Definitions. As used herein, the following words
- 11 shall be defined, for purposes of this resolution, as here-
- 12 inafter set forth:
- 13       a. "Person" means any individual, firm, partnership,
- 14 committee, association, corporation, or other organization
- 15 or group of persons.
- 16       b. "Compensation" means any money, thing of value,
- 17 or financial benefit received or to be received in return
- 18 for services rendered or to be rendered, for promoting, ad-
- 19 vocating, influencing, or opposing any matter pending before
- 20 this convention, or which might come before it or any of
- 21 its committees, subcommittees, or delegates but does not mean
- 22 or include monies paid to delegates to the convention as
- 23 remuneration for their duties as such delegates.
- 24       c. "Convention" includes the convention as a whole
- 25 and the committees, subcommittees, and delegates of the Con-
- 26 stitutional Convention of Louisiana of 1973.
- 27       2. Registration of Persons Appearing Before Convention.
- 28 The following persons shall register with the secretary of
- 29 the convention as provided herein:
- 30       a. Any person who, with or without compensation,
- 31 undertakes for any person other than himself to promote, in-
- 32 fluence, advocate, or oppose any matter pending before or
- 33 which might come before this convention.
- 34       b. Any person any part of whose duties as an em-
- 35 ployee of another person includes undertaking to promote,
- 1 influence, advocate, or oppose any matter pending before
- 2 or which might come before this convention.

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Page 2

3 3. Persons Exempt. The following persons shall not be  
4 required to register as lobbyists:

5 a. Persons who appear only as witnesses, without  
6 compensation, before the convention or any committee or sub-  
7 committee thereof for the purpose of explaining or speaking  
8 for or against the passage of or action upon any matter  
9 pending before the convention.

10 b. Any employee of a board, commission, department,  
11 or agency of the state or of any political subdivision  
12 thereof who appears before the convention for the purpose  
13 of explaining how the passage of or action upon any provision  
14 then pending will affect said political subdivision, board,  
15 commission, department, or agency.

16 4. Information Required of Registrants. Every person  
17 required to register under the provisions of this resolution  
18 shall file with the secretary of the convention a written  
19 statement, subscribed under oath or affirmation before a  
20 notary public, containing the following information:

21 a. The name and address of the registrant.  
22 b. The name and address of the person or persons  
23 employing, engaging, or retaining the registrant to perform  
24 such services, or on whose behalf or in whose interest the  
25 registrant will appear.

26 c. A brief description of the provisions of the con-  
27 stitution in reference to which such service is to be  
28 rendered.

29 d. The duration of his or her employment or the  
30 period for which he or she is engaged or retained.

31 e. A recent photograph of the registrant.  
32 Whenever any of the facts required herein change, the  
33 registrant shall file a revised statement.

34 5. Penalty. For the first violation of the provisions  
35 of this resolution, the chairman of the convention shall

CC-151 Page 3

1 instruct the sergeant-at-arms to deny the violator access  
2 to any committee or subcommittee meeting or convention  
3 session for not less than three nor more than fifteen days.  
4 For a second violation, the violator shall be denied access  
5 to said meetings and sessions for not less than one month  
6 nor more than the duration of the convention.

7 6. Prohibition. No delegate, officer, or employee of  
8 the convention shall, except within the scope of his conven-  
9 tion duties or employment, directly or indirectly promote,  
10 advocate, influence, or oppose any matter pending before or  
11 which might come before the convention or any committee or  
12 subcommittee thereof.

CC-

1 Constitutional Convention of Louisiana of 1971

2 COMMITTEE RESOLUTION NUMBER

3 Introduced by Mr. Stovall on behalf of the Committee on

4 Rules, Credentials and Ethics

5 A RESOLUTION

6 Relative to amending the Standing Rules of the Constitutional

7 Convention to provide for submission of minority  
8 proposals.

9 WHEREAS, the Standing Rules are presently silent on  
10 the procedure, or form, by which a minority proposal may  
11 be introduced and considered; and

12 WHEREAS, it seems desirable to do so to achieve  
13 uniformity and clarity of style in minority proposals  
14 to the proposals reported by the substantive committees.

15 THEREFORE, BE IT RESOLVED that Rule No. 90 is hereby  
16 adopted to read as follows:

17 Notwithstanding any rule previously adopted  
18 by this convention, one or more members of a committee  
19 may introduce a proposal representing the views of  
20 the minority. A proposal introduced by a minority  
21 of any committee shall designate that it is intro-  
22 duced by delegates reflecting a minority view of the  
23 members of the committee and which in the caption  
24 of each such proposal shall state "Introduced by  
25 Minority Delegate(s) \_\_\_\_\_". Any such proposal  
26 shall be received in the same manner as a committee  
27 proposal, and treated as an amendment or substitute  
28 offered to or for the committee proposal.

CC-

1 Constitutional Convention of Louisiana of 1971

2 COMMITTEE RESOLUTION NUMBER

3 Introduced by

4 A RESOLUTION

5 Amending the Standing Rules of the Constitutional Con-  
6 vention to provide expressly for alternative proposals  
7 by adding thereto a new rule to be designated Rule  
8 No. 37A. Alternative Proposals.

9 WHEREAS, Act 2 of the 1972 Regular Session provide  
10 for alternative proposals; and

11 WHEREAS, the Standing Rules are presently silent on  
12 the procedure by which alternative proposals may be

13 introduced and considered; and  
14 WHEREAS, the results of the vote of the people on  
15 recently proposed constitutions in other states clearly  
16 indicate that a constitution submitted to the people with  
17 alternative proposals has a greater chance of public  
18 acceptance; and

19 WHEREAS, the delegates to CC'73 are desirous that  
20 this convention adopt a constitution that will be ratified  
21 by the voters.

22 THEREFORE, BE IT RESOLVED that Rule No. 37A. is  
23 adopted to read as follows:

24 "Rule No. 37A. Alternative Proposal. An alter-  
25 native proposal is a special form of proposal in  
26 which two alternatives are to be submitted to the  
27 people on a separate part of the ballot, one of which  
28 shall be included in the constitution if adopted by a  
29 majority of those voting on the proposal at the election  
30 but only if the proposed constitution is adopted.

31 No more than six such alternative proposals shall  
32 be placed on the ballot.

33 The introduction and consideration of alternative  
34 proposals shall conform to the rules for the intro-  
35 duction and consideration of proposals."

#### Appendix D

##### Lobbyists

Rule \_\_\_\_\_. Definitions. When used in this rule:

A. The term "person" includes an individual,  
partner, firm, committee, association, corporation, and  
any other organization or group of persons.

B. The term "clerk" means the clerk of the  
Constitutional Convention of 1973.

C. The term "Constitution" means the Constitutional  
Convention of Louisiana of 1973.

D. The term "proposals" means proposals,  
resolution, amendments, nominations, and other  
matters pending or proposed in the convention and  
includes any other matter which may be the subject  
of action by the convention.

Persons to whom applicable. The provisions of  
this Rule shall apply to any person, who by himself,  
or through any agent or employee or other persons  
in any manner whatsoever, directly or indirectly,  
solicits, collects, or receives money or any other  
thing of value to be used principally to aid, or the  
principal purpose of which person is to aid, in  
the accomplishment of any of the following  
purposes:

A. The passage or defeat of any proposition  
by the convention.

B. To influence, directly or indirectly, the  
passage or defeat of any proposition by the convention.

Registration of Lobbyists with the clerk. Regula-  
tion of information. A. Any person who shall engage  
himself in any way, or use any consideration for the  
purpose of attempting to influence the passage or  
defeat of any proposition by the convention shall,  
before doing anything in furtherance of such object,

register with the clerk and shall give to him an  
writing and under oath, his name and business address,  
the name and address of the person by whom he is  
employed, and a true and correct list of all persons,  
the names of whom he is to aid and by whom he is  
paid or to be paid. In addition, each such person  
shall submit a brief biography and a list of  
names including all titles with respect to the  
names and addresses of the person, group of persons  
or organization whose interests he represents,  
including the name of business in which each is en-  
gaged. Within ten business days after the clerk  
before convening in the activities described in  
this Rule at any of the sessions of the convention,  
and shall be published by the clerk in a loose-leaf  
type booklet contained in the office of the  
clerk in the use of each delegate at the convention.  
This book shall be kept current during the convention  
as each person registers as required by the provisions  
of this Rule.

B. Each such person shall pay a fee of ten  
dollars which shall be used by the clerk to defray the  
cost of the publishing of the booklet. The provisions  
of this Rule shall not apply to any person who merely  
appears before a committee of the convention in  
support of or opposition to a proposition; nor to  
any person official duties in his official capacity;  
nor to the editor of any newspaper or other regularly  
published periodical furnishing any individual news  
clips, printed or, or is employed by such newspaper  
or, printed or, or is in the ordinary course of  
business, or is a writer, editor, or other  
person, or paid advertising, which carried, or  
materially aids the passage or defeat of a proposition,  
or such newspaper, periodical or individual message.

C. No person shall be permitted to solicit or collect  
money or any other thing of value for the purpose of  
aiding or influencing the passage or defeat of any  
proposition by the convention.

D. Each such person shall file with the clerk  
a true and correct copy of the writing which he has  
submitted to the clerk, and a true and correct  
copy of the writing which he has submitted to the  
clerk.

11 Public Hearing. It is the policy of the  
12 Committee to hold public hearings on all matters  
13 which come before it. It is the policy of the  
14 Committee to hold public hearings on all matters  
15 which come before it. It is the policy of the  
16 Committee to hold public hearings on all matters  
17 which come before it. It is the policy of the  
18 Committee to hold public hearings on all matters  
19 which come before it. It is the policy of the  
20 Committee to hold public hearings on all matters

21  
22 equally. For the resolution of the provisions  
23 of this rule, there is a public hearing. The  
24 the committee is to hold public hearings on all  
25 matters which come before it. It is the policy of the  
26 Committee to hold public hearings on all matters  
27 which come before it. It is the policy of the  
28 Committee to hold public hearings on all matters  
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30 Committee to hold public hearings on all matters

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#### MINUTES

Minutes of the Committee on Rules,  
Credentials and Ethics of the  
Constitutional Convention of 1973

Held pursuant to announcement by  
the Secretary of the Convention on  
July 5, 1973

Committee Room 1, State Capitol  
Baton Rouge, Louisiana  
Friday, July 6, 1973, 9:00 a.m.

Presiding: The Reverend Mr. Stovall, Chairman of the Committee  
on Rules, Credentials and Ethics

#### Present

James Stovall  
Greg Arnette  
Clyde Bel  
Donald Hollinger  
Melrose Corne  
R. M. Elkins  
K. Gordon Flory  
J. A. McDaniel  
Peogram Mire  
V. C. Shannon  
Tom Stag  
Thomas A. Velazquez  
Mrs. George E. Warren  
Ruth Miller

#### Absent

J. K. Haynes  
Lawrence B. Sandoz, Jr.  
Alvin D. Singletary

Chairman Stovall called the meeting to order and reviewed  
the three matters to be considered by the committee at that  
time.

2

Mrs. Corne read COMMITTEE RESOLUTION NUMBER 4 and moved to  
report it favorably to the convention. A copy of the resolution  
is attached to and made part of these minutes as Appendix A.

Delegate Shannon moved to adopt the following amendment:  
On page 2, line 28, insert a period after the word "booklet"  
and delete the words "and identification badges."

Mr. Stag moved to amend Mr. Shannon's motion as follows:  
On page 2, delete lines 26 and 27 and delete the words "ing of  
the booklet and identification badges." on line 28. Mr. Shannon  
accepted the amendment to his motion. The motion, with the  
amendment, was defeated.

Mr. Stag offered the following amendment: On page 2,  
line 32 after the word "proposition" insert the words "nor to  
any delegates:". Motion carried.

Delegate Corne's motion to report the resolution favorably  
carried.

Secretary Corne read DELEGATE RESOLUTION NUMBER 23 and  
moved to report it favorably to the convention. A copy of the  
resolution is attached to and made part of these minutes as  
Appendix B.

Mr. Bel offered a substitute motion to report DELEGATE  
RESOLUTION NUMBER 23 unfavorably to the convention. Motion  
carried.

Delegate Bel moved to report favorably DELEGATE RESOLUTION  
NUMBER 6. Motion carried. A copy of the resolution is  
attached to and made part of these minutes as Appendix C.

The committee discussed a proposed recommendation from the  
Rules Committee. A copy of the resolution is attached to and

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made part of these minutes as Appendix D. Delegate Velazquez  
moved to adopt the recommendation for presentation to the con-  
vention.

Mr. Shannon offered a substitute motion to table the  
recommendation.

Delegate Arnette moved to adjourn.

Mr. Velazquez moved to consider the previous question.  
Motion overruled.

*James L. Stovall*  
James L. Stovall, Chairman

Greg Arnette, Vice-Chairman

Heloise Corne, Secretary

Minutes of the meeting of the Committee on Rules, Credentials and Ethics of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with the Rules of the Convention.

Committee Room No. 1, State Capitol,  
Baton Rouge, Louisiana  
Thursday, July 12, 1973, 5:00 p.m.

Presiding: The Reverend Mr. Stovall, Chairman of the Committee on Rules, Credentials and Ethics

NOTES

Committee Resolution No. 4, Delegate Resolutions Nos. 6 and 23 are reproduced in Volume IV, above.

Present:

Rev. James L. Stovall  
Mrs. Heloise Corne  
Hon. Clyde F. Bel, Sr.  
Donald T. Bollinger  
Kenneth Gordon Flory  
J. F. Haynes  
Lawrence B. Sandoz, Jr.  
V. C. Shannon  
Alvin D. Singletary  
Thomas A. Velazquez  
Mrs. George E. Warren  
Mrs. Ruth Miller, ex officio

Absent:

Greg Arnette, Jr.  
R. M. Elkins  
J. A. (Jim) McDaniel  
Hon. Pegram J. Mire  
Tom Staggs

APPENDIX D

The meeting was called to order at 5:00 p.m. The roll was called and a quorum was established. A copy of the agenda is attached as Appendix A.

CONVENTION FROM FILE

MINUTE

It was stated that the Convention, pursuant to the proposals from the Legislative Committee, the Executive Committee, the Judicial Committee, the Local and Parochial Government Committee and the Bill of Rights Committee.

WHEREAS, it is important that the Convention begin with the least controversial issues, and

THEFORE, it is important that we project a positive image for the Convention and the proposed Constitution by dealing expeditiously with the content of the substantive committees, and

WHEREAS, we can proceed at a more rapid rate if we begin with matters of statute and then deal with matters of philosophy, and

WHEREAS, many delegates desire more time to study the bill of rights before its formal consideration by the Convention, and

WHEREAS, the Committee on the Bill of Rights will need time to process delegate proposals.

THEFORE BE IT RESOLVED that the Convention proceed by considering the proposals by the Committee on Legislative, the Committee for the Executive Branch, the Committee for the Judiciary, the Committee for Local and Parochial Government and then the Committee for the Bill of Rights and that the subsequent order for the other substantive committee be determined at a later date.

Mrs. Corne, Secretary, read COMMITTEE RESOLUTION No. 5 (a copy is attached hereto as Appendix B). Mrs. Corne moved to report favorably on this resolution to the convention. Motion carried.

COMMITTEE RESOLUTION No. 7 (Appendix C) was read by Mrs. Corne, who moved to report favorably. Motion carried.

Mrs. Corne moved to reconsider the language in COMMITTEE RESOLUTION No. 7. Motion carried.

Mr. Bel moved to amend COMMITTEE RESOLUTION No. 7 as follows: On page 1, line 22, after the word "committee" delete the word "shall" and insert in lieu thereof the word "may". Motion carried.

Mrs. Corne moved to amend COMMITTEE RESOLUTION No. 7 by deleting lines 22 through 27. Motion defeated.

Delegate Velazquez moved the previous question. Motion defeated.

Mr. Flory moved to amend COMMITTEE RESOLUTION No. 7 as follows: On page 1, line 27, after the word "a" and before the word "committee" insert the word "minority". Motion carried.

Mr. Bel moved to report COMMITTEE RESOLUTION No. 7 with amendments (Appendix C-1). Motion carried.

Chairman Stovall introduced Mr. Max N. Tobias, Jr., member of the Committee on Style and Drafting, who pointed out the disadvantages of referral of a proposal to his committee at the stage required in line 31 of COMMITTEE RESOLUTION No. 5.

Mr. Flory moved to reconsider COMMITTEE RESOLUTION No. 5. Motion carried.

Reverend James L. Stovall  
Chairman, Rules Committee



Mr. Flory moved to amend COMMITTEE RESOLUTION NO. 5 (Appendix B) by deleting line 31 in its entirety and to reletter the succeeding paragraphs (Appendix B-1). Motion carried.

Mr. Flory moved to report COMMITTEE RESOLUTION NO. 5 with amendments. Motion carried.

DELEGATE RESOLUTION NO. 22 (Appendix D) was read by Mrs. Corne who moved to report favorably.

Chairman Stovall introduced Mrs. Felicia Kahn from New Orleans, who is vice president for the Council for a New State Constitution. She urged retention of the 74-hour notice requirement. Chairman Stovall acknowledged correspondence from Mrs. Kahn, from the Association of University Women, the Human Relations Committee of New Orleans, and the Youth Council of the NAACP regarding the notice requirement.

Mr. Bel offered a substitute motion to report COMMITTEE RESOLUTION NO. 22 unfavorably. Motion carried.

Mrs. Corne read COMMITTEE RESOLUTION NO. 3 (Appendices E and E-1) and moved to report with amendments.

Mrs. Corne moved to adopt Amendment No. 1. Motion carried.

Mrs. Corne moved to adopt Amendment No. 2. Motion carried.

Mrs. Corne moved to adopt Amendment No. 3. Motion carried.

Mr. Flory offered a substitute motion to defer action on COMMITTEE RESOLUTION NO. 3 and hold it in committee. Motion carried.

Mrs. Corne read DELEGATE RESOLUTION NO. 24 (Appendix F), and moved to report unfavorably. She explained that this was Delegate Abraham's resolution and he had requested this action. Motion carried.

Mr. Flory moved to defer action on DELEGATE RESOLUTION NO. 25 (Appendix G). Motion carried.

Chairman Stovall reviewed drafts of resolutions which had been distributed to the committee relative to standing rules to regulate the use of duplicating equipment and the distribution of materials to delegates while in session.

Mr. Bollinger moved to amend the COMMITTEE RESOLUTION (Appendix H-1) by deleting line 31 in its entirety, and deleting the words "convention is not in session." in line 32. Motion carried.

Mr. Flory moved to amend line 32 by substituting the word "such" for the word "all" in line 32. Motion carried.

Mr. Flory moved to amend line 32 by inserting the words "Duplication and distribution" in lieu of "Distribution". Motion carried.

Mr. Bollinger moved to amend line 23 by deleting the words "No materials of any nature" and inserting in lieu thereof the words "Only materials pertinent to the business of the convention"; and on line 25 after the word "convention" by inserting a period (.); and by deleting the remainder of the sentence; and by deleting lines 26, 27 and 28. Motion carried.

Mr. Flory moved to amend the COMMITTEE RESOLUTION as follows: Delete lines 29 and 30 and substitute revised language from the Fayard DELEGATE RESOLUTION to read: "All materials which are placed

on the desks of convention delegates must bear the name of the person, or persons, or organizations responsible for the distribution of the material."

Mrs. Warren moved the previous question. Motion carried.

Mr. Flory's motion carried.

Mrs. Corne moved to amend the language taken from the Fayard DELEGATE RESOLUTION (Appendix H-2) by striking out the word "responsible" and inserting in lieu thereof the word "requesting".

Mr. Flory moved to insert the word "preparation" and the amended paragraph reads:

"All materials which are placed on the desks of convention delegates must bear the name of the person, or persons, or organizations requesting the preparation and distribution of the material."

Motion carried.

Mr. Shannon moved to report COMMITTEE RESOLUTION NUMBER (Appendix H-1) with amendments. Motion carried.

The meeting adjourned at 7:45 p.m.

*James L. Stovall*  
James L. Stovall, Chairman

*Greg Arnette*  
Greg Arnette, Vice Chairman

*Heloise Corne*  
Heloise Corne, Secretary

*Appendix*

CONVENTION RESOLUTIONS, RESOLUTIONS, and OTHERS  
1961, 1962, 1963.

1. Call to order
2. Roll call
3. Alternate proposed to Committee Resolution No. 1
4. Clarification requested in Rule No. 14 on resolutions on three different days - Committee Resolution Number 5
5. Minority proposed to Committee Resolution Number 2
6. Resolution proposed to Committee Resolution Number 3
7. Order of business
8. Adjournment

APPENDIX A

6 assignment and use distribution) deemed to be defined  
7 and  
8 and  
9 and  
10 and  
11 and  
12 and  
13 and  
14 and  
15 and  
16 and  
17 and  
18 and  
19 and

20 THEREFORE, BE IT RESOLVED that Rule No. 90 is adopted  
21 to read as follows:

22 Rule 90. Duplication and Distribution of Materials.  
23 No materials of any nature may be duplicated on equipment  
24 owned, rented or otherwise operated under the auspices of  
25 the Constitutional Convention, except materials which in  
26 conformity with law and the Standing Rules of the Conven-  
27 tion are necessary for the transaction of the business of  
28 the convention.

29 All material, written or otherwise, which is distribu-  
30 ted to delegates shall be identified by source or origin  
31 and shall be distributed by convention pages only when the  
32 convention is not in session. Distribution of all materials  
33 shall be supervised by the chairman of the convention.

34 The chairman of the convention or a majority of the  
35 delegates present and voting may grant exceptions to this rule.

#### APPENDIX H-1

1 Constitutional Convention of Louisiana of 1973

2 DELEGATE RESOLUTION NUMBER

3 Introduced by Delegate Payard

4 A RESOLUTION

5 To adopt standing rules of the Constitutional Convention  
6 to regulate the distribution of materials to delegates  
7 while in session.

8 WHEREAS, it is necessary for intelligent debate and  
9 orderly proceedings that all informational sources pre-  
10 sented to the delegates in session be properly identified;  
11 and

12 WHEREAS, no rules are presently provided for regulating  
13 the duplication and distribution of materials to delegates.

14 THEREFORE, BE IT RESOLVED that Rules No. 90 and 91 are  
15 adopted to read as follows:

16 Rule 90. Identification of Materials. All materials  
17 which are placed on the desk of convention delegates at the  
18 expense of the convention, including but not limited to news-  
19 paper articles, loose-leaf materials, and delegate letters to  
20 the convention must be authorized by a delegate and must bear  
21 the name of the delegate or sponsoring delegate responsible

22 for distribution of the material.

23 Rule 91. All other materials which are placed on the desk  
24 of convention delegates, including but not limited to news-  
25 paper articles, loose-leaf materials, loose-leaf materials and  
26 letters to the convention must bear the name of the person, or  
27 persons, or organizations responsible for the preparation and  
28 distribution of the material.

APPENDIX H-2

#### NOTES

Resolutions cited in the Minutes of  
July 12, 1973, as Addenda B, C, D, E, F, G  
are found in Volume IV, above.  
Amendments cited as Addenda B-1, C-1,  
E-1 are found at 1 Journal 159-160.

#### MINUTES

Minutes of the Committee on Rules,  
Credentials and Ethics of the  
Constitutional Convention of 1973

Held pursuant to notice by the Secretary  
in accordance with the Rules of the  
Convention.

Committee Room 1, State Capitol  
Baton Rouge, Louisiana  
Wednesday, July 18, 1973, 5:30 p.m.

Presiding: The Reverend Mr. Stovall, Chairman of the Committee  
on Rules, Credentials and Ethics

#### Present:

James L. Stovall  
Heloise Corne  
R. M. Elkins  
Kenneth Gordon Flory  
J. K. Baynes  
Alvin D. Singletary  
Tom Starr  
Thomas A. Velazquez  
Mrs. George E. Warden  
Ruth Miller, Ex. O.

#### Absent:

Greg Arnette, Jr.  
Clyde F. Bel, Sr.  
Donald T. Bollinger  
J. A. McDaniel  
Pegram Mire  
Lawrence B. Sandoz, Jr.  
V. C. Shannon

Chairman Stovall called the meeting to order at 5:30 p.m.  
and asked the secretary to call the roll. A quorum being  
present, the meeting proceeded.

Delegate Staggs moved to dispense with the reading of the minutes of the last meeting and that they be approved as printed. Motion carried with no objection.

After a vote by the committee on whether to consider Delegate Resolution No. 25, Mrs. Corne read the resolution and moved to report it favorably to the convention.

Mr. Flory moved to amend the resolution by changing "meet" to "convene at 1:00 p.m." and by deleting "through Friday" on line 12. Motion carried.

Mr. Singletary offered a substitute motion to report the resolution unfavorably to the convention. Motion withdrawn.

Delegate Velazquez offered a substitute motion to report Delegate Resolution No. 25 unfavorably. Motion defeated.

Mr. Haynes offered a substitute motion to defer action on the resolution. There being no objection, the motion carried.

Mrs. Corne read Delegate Resolution No. 26 and moved to report it favorably to the convention. Motion carried.

Mrs. Corne read Committee Resolution No. 8 and moved to report it favorably to the convention.

Mr. Flory offered the following amendment:

On page 1, line 19, after the word "of" delete the words "a majority of" and on line 20, at the beginning of the line, delete the words "the members of the committee," and insert in lieu thereof the following:

"those delegates voting for each such proposal, which in each case shall be a least a majority of the members of the committee."

Amendment adopted and motion carried.

Mrs. Corne read Committee Resolution No. 9 and moved to report it favorably to the convention.

Delegate Flory offered the following amendments:

#### AMENDMENT NO. 1

On page 1, line 23, immediately after "Rule No." delete the figure "90" and insert in lieu thereof the figure "91"

#### AMENDMENT NO. 2

On page 1, strike out line 25 in its entirety and insert in lieu thereof the following:

"Rule 91. Duplication and Distribution of Materials. A. Only"

#### AMENDMENT NO. 3

On page 1, delete lines 29 through 31, both inclusive, in their entirety and at the beginning of line 32 delete "tion of the material."

#### AMENDMENT NO. 4

On page 2, line 6, add the following paragraph:

"B. All materials which are placed on the desks of convention delegates must bear the name of the person or persons or the organization or organizations responsible for the preparation and distribution of the material."

Amendments adopted. Motion carried.

Mr. Singletary moved to dispense with the reading of Delegate Resolution No. 27. Motion withdrawn.

Mr. Haynes moved to defer action on the resolution.

Mr. Velazquez pointed out that a quorum was no longer present

and no action could be taken on the motion.

The committee adjourned at 8:00 p.m.

*[Handwritten signatures]*  
James L. Stovall, Chairman  
Heloise Corne, Secretary

#### MINUTES

Minutes of the Committee on Rules,  
Credentials and Ethics of the  
Constitutional Convention of 1973

Held pursuant to notice by the Secretary  
in accordance with the Rules of the  
Convention.

Senate Lounge, State Capitol  
Baton Rouge, Louisiana  
Wednesday, July 25, 1973, 5:30 P.M.

Presiding: Greg Arnette, Jr., Vice Chairman of the Committee  
on Rules, Credentials and Ethics

#### Present:

James L. Stovall  
Greg Arnette, Jr.  
Clyde P. Bel, Sr.  
Donald T. Bollinger  
Heloise Corne  
R. M. Elkins  
Kenneth Gordon Flory  
Pegram Mire  
Lawrence B. Sandoz, Jr.  
Thomas A. Velazquez  
Mrs. George E. Warren

#### Absent:

J. K. Haynes  
J. A. McDaniel  
V. C. Shannon  
Alvin O. Singletary  
Tom Staggs  
Ruth Miller, Ex. O.

Vice Chairman Arnette called the meeting to order and asked the secretary to call the roll. With a quorum being present, the meeting proceeded. The minutes of the last meeting were approved as printed.

Mrs. Corne read COMMITTEE RESOLUTION NO. 3 and Delegate Velazquez moved to defer action on the resolution for sixty days.

Mr. Bel offered a substitute motion to put COMMITTEE RESOLUTION NO. 3 on the calendar subject to call. Motion carried.

COMMITTEE RESOLUTION NO. 10 was read by the secretary and Mrs. Corne moved to report it favorably to the convention.

Delegate Bollinger stated that he was opposed to the resolution and offered a substitute motion to report it unfavorably to the convention. Motion withdrawn.

Mr. Bollinger then offered an amendment to COMMITTEE RESOLUTION NO. 10, using language from DELEGATE RESOLUTION NO. 31, as follows:

#### AMENDMENT NO. 1

On page 1, at the end of line 11, delete the word "five" and insert in lieu thereof the word "ten"

AMENDMENT NO. 2

On page 1, line 16, after the word "speak" and before the word "for" insert the word "in reply"

AMENDMENT NO. 3

On page 1, line 16, place a comma "," after the word "minutes" and add the following:

"but not until every delegate choosing to speak has spoken, except when the previous question or the previous question on the entire subject matter has been ordered."

AMENDMENT NO. 4

On page 1, line 17, delete the words "when the matter is initially debated."

AMENDMENT NO. 5

On page 1, at the beginning of line 21, change the word "five" to "ten"

The amendments were adopted without opposition. The original motion by Mrs. Corne to report it favorably was amended to report the resolution with amendments. Motion carried.

Delegate Velazquez moved that no action be taken on DELEGATE RESOLUTION NO. 27 until the author could be present.

Mr. Bollinger offered a substitute motion to consider the resolution at this time. Substitute motion defeated.

The original motion by Mr. Velazquez carried.

Mrs. Corne read DELEGATE RESOLUTION NO. 28 and moved to report it favorably to the convention.

Delegate Sandoz offered a substitute motion to defer action at this time. Motion withdrawn.

Delegate Sandoz resubmitted his substitute motion to defer action at this time. Motion carried.

Delegate Corne read DELEGATE RESOLUTION NO. 29 and moved to report it favorably to the convention. After some discussion, Mrs. Warren moved the previous question. Motion defeated.

Delegate Flory offered the following amendments to the resolution:

AMENDMENT NO. 1

On page 1, line 4, after the figure "45" and before the words "of the Standing Rules" insert the following:

"and Rule No. 81"

AMENDMENT NO. 2

On page 1, at the beginning of line 6, after "posals" and before the word "or" delete the word "sub-section" and insert in lieu thereof the word "section"

AMENDMENT NO. 3

On page 1, line 6, place a period "." after the word "paragraph" and delete the remainder of the line

AMENDMENT NO. 4

On page 1, line 7, after the figure "45" and before the words "of the Standing Rules" insert the following:

"and Rule No. 81"

AMENDMENT NO. 5

On page 1, line 13, immediately after "paragraphs," delete the remainder of the line and delete line 14 in its entirety and at the beginning of line 15 delete "of those present and voting," and insert in lieu thereof the following:

"then, with the consent of a majority of those present and voting, each separately designated paragraph shall be acted upon separately."

AMENDMENT NO. 6

On page 1, line 18, insert the following:

"Rule No. 81. Recording the Vote. On the passage on third reading of every proposal, article, section, or paragraph if acted on separately, the yeas and nays shall be entered in the Journal, and no proposal, article, section, or paragraph if acted on separately, shall be declared passed unless a majority of all the delegates to the convention shall have voted in favor of the passage of same."

The amendments were adopted without opposition. Delegate Bel offered an amendment to the original motion to make the report to the convention with amendments. Motion carried.

After DELEGATE RESOLUTION NO. 30 was read by the secretary, Mr. Velazquez moved to report it favorably to the convention. Motion carried.

Mr. Flory moved to report DELEGATE RESOLUTION NO. 31 without action. Motion carried.

Mrs. Corne read DELEGATE RESOLUTION NO. 32 and moved to report it favorably to the convention.

Delegate Velazquez offered a substitute motion to report it unfavorably.

After much discussion with no action on the matter, Delegate Mire moved to adjourn. Motion carried.

  
James L. Stovall, Chairman

Greg Arnette, Vice Chairman

Heloise Corne, Secretary

MINUTES

Minutes of the Committee on Rules, Credentials and Ethics of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with the Rules of the Convention.

Committee Room 1, State Capitol  
Baton Rouge, Louisiana

Wednesday, August 1, 1973, 5:00 p.m.

Presiding: The Reverend Mr. Stovall, Chairman of the Committee on Rules, Credentials and Ethics

Present:

James L. Stovall  
Greg Arnette, Jr.  
Donald T. Bollinger  
Heloise Corne  
Kenneth Gordon Flory  
J. A. McDaniel  
Peogram Mire  
V. C. Shannon  
Tom Staggs  
Thomas A. Velazquez  
Mrs. George E. Warren  
J. R. Haynes

Absent:

Clyde F. Bel, Sr.  
R. M. Elkins  
Lawrence B. Sandoz  
Alvin D. Singletary  
Ruth Miller, Ex. O.

Vice Chairman Arnette called the meeting to order and asked the secretary to call the roll. A quorum being present, the meeting proceeded.

Mrs. Warren moved to dispense with the reading of the minutes and to adopt them as printed. Motion carried.

Chairman Stovall arrived and took the chair. The committee began its consideration of COMMITTEE RESOLUTION NO. 3. Chairman Stovall offered a substitute resolution for consideration by the committee. However, after much debate on the two resolutions, and at the suggestion of Mr. Henry, who addressed the committee concerning alternative proposals, Delegate Shannon moved to defer action on the matter at this time.

Mrs. Corne offered a substitute motion to determine the mechanics of alternative provisions after all committee proposals have been presented and debated. Motion withdrawn.

Delegate Shannon withdrew his original motion and moved that the chairman be authorized to appoint a subcommittee to study the matter of alternative provisions and bring it back to the full committee at a later date. There being no objections, the motion carried.

Mrs. Corne read DELEGATE RESOLUTION NO. 27. Delegate Bollinger moved to report it favorably to the convention.

Delegate Haynes offered a substitute motion that the resolution be amended to read that it amends the action taken on July 5 to include Judge Thompson. Substitute motion withdrawn.

Delegate Bollinger asked for a record vote on his motion. Those voting yes were: Stovall, Arnette, Bollinger, Corne, McDaniel, Shannon, and Staggs. Those abstaining were: Flory, Haynes, Mire, Velazquez, and Warren. There were no nay votes.

Delegate Corne read DELEGATE RESOLUTION NO. 28 and moved to report it favorably to the convention.

Mr. Staggs offered a substitute motion to report it unfavorably to the convention. Motion carried.

Mrs. Corne read DELEGATE RESOLUTION NO. 32 and moved to report it favorably to the convention.

Delegate Flory offered a substitute motion to defer action on the resolution at this time and that it not be placed on the agenda until so requested by the committee. There being no objection, the motion carried.

Mr. Staggs moved to report DELEGATE RESOLUTION NO. 33 favorably to the convention.

Delegate Arnette offered the following amendments:

AMENDMENT NO. 1

On page 1, line 14, change the numeral and letter "2A," to the numeral "3."

AMENDMENT NO. 2

On page 1, line 15, change the numeral "3." to the numeral "4."

AMENDMENT NO. 3

On page 1, line 16, change the numeral "4." to the numeral "5."

AMENDMENT NO. 4

On page 1, line 17, change the numeral "5." to the numeral "6."

AMENDMENT NO. 5

On page 1, line 18, change the numeral "6." to the numeral "7."

AMENDMENT NO. 6

On page 1, line 19, change the numeral "7." to the numeral "8."

AMENDMENT NO. 7

On page 1, line 20, change the numeral "8." to the numeral "9."

AMENDMENT NO. 8

On page 1, line 21, change the numeral "9." to the numeral "10."

AMENDMENT NO. 9

On page 1, line 22, change the numeral "10." to the numeral "11."

AMENDMENT NO. 10

On page 1, line 23, change the numeral "11." to the numeral "12."

Delegate Arnette's amendments were adopted without objection. He then offered a substitute motion to report DELEGATE RESOLUTION NO. 33 with amendments. Motion carried.

Delegate Bollinger moved to report DELEGATE RESOLUTION NO. 34 unfavorably to the convention. Mrs. Corne read a letter of explanation of the resolution from Dr. Asseff, author of the resolution. Motion carried without objection.

At 7:20 p.m., Delegate Staggs moved to adjourn. Motion carried.

*James L. Stovall*  
James L. Stovall, Chairman

Greg Arnette, Jr., Vice Chairman

Heloise Corne, Secretary

MINUTES

Minutes of the meeting of the Rules, Credentials, and Finance Committee of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of

the Convention in accordance with the rules of the  
Convention

State Capitol, Baton Rouge, Louisiana

Wednesday, September 12, 1973, 1:30 p.m.

Presiding: James L. Stovall, Chairman of the Committee on  
Rules, Credentials, and Ethics

Present: Absent:

Stovall  
Arnette  
Bel  
Bollinger  
Corne  
Elkins  
Flory  
Mire  
Sinoleary  
Stagg  
Velazquez

Haynes  
McDaniel  
Sandoz  
Shannon  
Warren  
Miller

The roll was called and a quorum was present. The  
minutes from the previous meeting were distributed and there  
being no objection, the minutes were adopted.

Delegate Resolution No. 36, by Delegate Segura was read.

Mr. Segura explained the resolution and asked the committee  
for a favorable report. After discussion, Mr. Stagg offered  
the motion that the resolution be reported unfavorably. Mr.  
Arnette offered the substitute motion that lines 5 and 6 be  
deleted and on line 16, after the word "floor" delete the comma  
",," and insert in lieu thereof a period "." and delete the  
remainder of line 16 and line 17 in its entirety. The vote was  
called on the previous question. The substitute motion failed  
with a vote of 6 yeas and 4 nays. The following is a list of  
the roll call vote:

Yeas	Nays
Arnette	Stovall
Bel	Corne
Bollinger	Elkins
Mire	Flory
	Stagg
	Velazquez

The vote was called on the motion by Mr. Stagg. The following  
is a list of the roll call vote:

Yeas	Nays
Stovall	Arnette
Bollinger	Bel
Corne	
Elkins	
Flory	
Mire	
Stagg	
Velazquez	

Delegate Resolution No. 40, by Delegate Casey, was read  
and discussed by Mr. Stagg. Mr. Stagg urged a favorable report  
on the resolution. Mr. Mire offered the motion that the resolution  
be reported favorably. After discussion, the vote was called on  
the motion. The motion carried with a unanimous vote. The following  
is a list of the roll call vote:

-2-

Yeas Nays

Stovall  
Arnette  
Bel  
Bollinger  
Corne  
Elkins  
Flory  
Mire  
Stagg  
Velazquez

Delegate Resolution No. 35, by Delegate Tobias, was read  
and discussed. After discussion, Mr. Tobias asked that the  
committee defer action until a later date. Mr. Mire offered  
the motion that the committee defer action on the resolution.  
There being no objection, it was so ordered.

Delegate Resolution Nos. 37 and 38, by Delegate Burson  
were discussed. Mr. Flory offered the motion that the resolutions  
be reported unfavorably. There being no objection, it was so  
ordered.

Delegate Resolution No. 39, by Delegate Zervigon, was  
read and discussed. Mr. Bel offered the motion that the  
resolution be reported favorably. The motion carried unanimously.  
The following is a list of the roll call vote:

Yeas	Nays
Stovall	
Arnette	
Bel	
Bollinger	
Corne	
Elkins	
Flory	
Mire	
Velazquez	

Delegate Resolution Nos. 41 through 45 were discussed.  
Mr. Bollinger offered the motion to defer action. There being  
no objection, it was so ordered.

-3-

Chairman Stovall appointed a subcommittee to study  
alternative provisions and make recommendations to the full  
committee. The subcommittee consists of: Mr. Stagg, serving  
as chairman, Mr. Sandoz, Mr. Flory, Mr. Velazquez, and Mr. Mire.

There being no further business, the committee adjourned  
at 2:45 p.m.

James L. Stovall, Chairman of the  
Committee on Rules, Credentials,  
and Ethics

Greg Arnette, Jr., Vice Chairman

Heloise Corne, Secretary

# **COMMITTEE ON PUBLIC INFORMATION**





# I. Minutes

## A. Full Committee Minutes

### MINUTE:

Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973

Held, pursuant to notice mailed by the Secretary of the Convention on February 6, 1973

National Resources Building, Baton Rouge, Louisiana

Monday, February 12, 1973, 10:00 A.M.

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

### Present

Patrick Juneau  
Robert J. Aertker  
Phillip Bergeron  
Mrs. Judy Dunlap  
John Clyde Fontenot  
Louis G. Reicke  
Charles E. Roemer  
Joe N. Silverberg  
E. J. Chatelain  
Harold J. Toca  
Joseph F. Toomey  
Risley C. Triche

### Absent

Tom Colten  
K. D. Kilpatrick  
Shady Wall  
Dorothy Mae Taylor

AGENDA: The following Agenda as outlined in the notice of the Secretary was read.

Chairman Juneau called the meeting to order.

Chairman Juneau invited guests of the various news media to offer any comments they may have to the Committee. Members of the Press Association made several comments concerning measures which would be helpful to the press in disseminating information. He also stated that the Press Association had facilities for mailing out material to the various newspapers across the state. He said if the mail-out was four pages or less they could have a mail-out to all daily newspapers for \$10.00 and a mail-out to all weekly newspapers for \$15.00. He also indicated that it would be of some assistance to provide news information to the weekly newspapers.

Mr. Phil Oakley, news director of WBOB made several comments to the committee. He said that the Convention would be covered by the electronic media and that he would not like to see the Convention itself preparing tapes to be used to disseminate information to the public. He suggested that the dissemination of such information should be handled by news reporters.

Charles Hargroder of the Times Picayune Press Correspondence also made several comments to the committee. He suggested as many meetings as possible be held in Baton Rouge. He also indicated that the idea of a Convention calendar was an excellent suggestion and would probably be utilized by the news media.

Mr. Reicke moved that it be the sense of this committee that our primary responsibility is to implement measures to notify all news media (all types of news media), of the time, place, date and agenda of each committee meeting of this convention. The motion was seconded by Mr. Silverberg. A vote was taken and there was no opposition. The motion carried.

Mr. Chatelain moved that the committee go on record to the executive committee that only one staff member be hired at the present time. The motion was seconded by Mr. Silverberg. A vote was taken and no opposition was noted. The motion carried.

Mr. Reicke moved that the Substantive Committees report to the Committee on Public Information as to the progress of the committees, including the issues and items and discussions of the committee, and that said reports are to be made to the Committee on Public Information up until and including the time the committee reports are submitted to the Convention as a whole. The motion was seconded by Mr. Roemer. A vote was taken and there was no opposition. The motion carried.

Mr. Triche moved that a sub-committee be appointed for the purpose of working out a calendar that can be used between now and July 5. The motion was seconded by Mr. Roemer.

A vote was taken and no opposition noted. The motion carried.

Mr. Silverberg moved that the chairman of the committee be given the authority to appoint a subcommittee to inquire into methods and materials used in submitting the Constitution to the people. The motion was seconded by Mr. Triche. A vote was taken and no opposition noted. The motion carried.

Mr. Toomey moved that the Committee on Public Information meet at least one more time before the May session of the Legislature. The motion was seconded by Mr. Fontenot. A vote was taken and no opposition noted. The motion carried.

*Mrs. Judy Dunlap*  
Secretary

*Patrick A. Juneau, Jr.*  
Chairman

### MINUTES

Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973

Held, pursuant to notice mailed by the Secretary of the Convention on May 14, 1973

Natural Resources Building, Baton Rouge, Louisiana  
Monday, May 21, 1973, 10:00 a.m.

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

### Present

Patrick Juneau  
John Fontenot  
Joe Silverberg  
Judy Dunlap  
Phillip Bergeron  
Ethan Chatelain  
Norman Heine  
Kenneth Kilpatrick  
Louis Reicke  
Harold Toca  
Joseph Toomey  
Shady Wall  
Avery Alexander

### Absent

Robert Aertker  
Charles Roemer  
Dorothy Taylor  
Risley Triche

Chairman Juneau called the meeting to order.

Agenda: The following Agenda as contained in the notice of the Secretary was read.

Minutes: The Minutes of the Committee Meeting of February 12, 1973 were read and adopted.

Mr. Juneau called on Mr. Fontenot to give a report of the subcommittee meetings. Mr. Fontenot said that he, Mrs. Dunlap, and Mr. Juneau had met with Lucien Stanley, director of the Louisiana Hospital Television Network (LHTN). He also stated that from the subcommittee's findings utilization of the LHTN for committee meetings was not feasible. Mr. Juneau commented that he and Leroy Colton had met with representatives of the La. Association of Broadcasters and they informed them that state TV stations were discussing the possibility of pooling their equipment for live TV coverage of the convention when it meets in full session, July 5.

Mr. Max Petty, director of the Louisiana Educational Television Authority, spoke to the committee concerning the possible production of two 30 minute educational films on the Constitutional Convention. He stated that the first film would deal with the background of the convention and events leading up to it, while the second would cover actual happenings at the convention. He also told the committee that \$30,000 had been obtained from federal funds for the making of the films and \$30,000 more would be needed from matching state funds. Several committee members said that they thought the LETA project was an excellent idea, but expressed the desire not to get involved in trying to obtain

[1196]



## October 3, 1973

Patrick A. Junesau, Jr.	✓
John C. Fontenot	
Joe N. Silverberg	
Judy Gardner Dunlap	✓
Robert J. Aertker	
Philip G. Bergeron	✓
Ethan J. Chatelain	✓
Norman E. Heane	✓
Paula S. Kilpatrick	✓
Louis G. Riecke	
Charles E. Roemer	
Louis Berry	
Barold J. Toca	✓
Joseph F. Toomy	✓
Paul H. Goldman	✓
Shady R. Wall	✓
Avery C. Alexander	

Check Mark - Present  
X - Absent

## MINUTES

Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973.

Held, pursuant to notice by the Secretary in accordance with Convention rules.

Independence Hall, Baton Rouge, Louisiana

Thursday, December 6, 1973, After adjournment

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

## Present

Patrick Juneau  
Clyde Fontenot  
Judy Dunlap  
Avery Alexander  
Philip Bergeron  
E. J. Chatelain  
Paul Goldman  
Norman Heine  
Corinne Maybucci  
Louis Riecke  
Charles Roemer  
Harold Toca  
Joseph Toomy

## Absent

Robert Aertker  
R. W. Graham  
Paula Kilpatrick  
Shady Wall

Chairman Juneau called the meeting to order.

Agenda: The following Agenda as contained in the notice of the Secretary was read.

Mr. Juneau called on Mr. Charles E. "Buddy" Roemer, III to give a report on his subcommittee's findings. Mr. Roemer explained that he had talked with the Secretary of State, the Attorney General and the head of Civil Service. The consensus of

opinion, he stated, was for the Public Information Committee to come up with several alternatives as to what the committee wanted to do and to submit them to the Attorney General for consideration. He stressed that the committee be specific in preparing their proposals.

Several questions were raised as to what form would be used in printing the document, the layout and the distribution. Concern was also voiced by many committee members over the need for an eye-catching design that the average citizen would read.

The committee decided to adjourn until a later date to allow time for the research staff to gather information and contact two representatives with expertise in public relations.

The meeting adjourned at 6:00 p.m.

Mrs. Judy Dunlap  
Secretary

~~PATRICK A. GUNTER, Jr~~  
Chairman

## MINUTES

Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973.

Held, pursuant to notice by the Secretary in accordance with Convention rules.

Treaty Room of White House Inn, Baton Rouge,  
Louisiana

Friday, December 14, 1973. After adjournment

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

## Present

Patrick Juneau  
Judy Dunlap  
Robert Aertker  
Avery Alexander  
Philip Bergeron  
E. J. Chatelain  
Paul Goldman  
R. W. Graham  
Paula Kilpatrick  
Corinne Maybuce  
Charles Roemer  
Harold Toca  
Joseph Toomy

## Absent

Clyde Fontenot  
Norman Heine  
Louis Riecke  
Shady Wall

Others Present

Bud Hebert  
Ken Varden

Chairman Juneau called the meeting to order.

Minutes: The minutes of the Committee Meetings of September 12, 1973; October 3, 1973, and December 6, 1973 were read and adopted.

The sole purpose of the meeting, Mr. Juneau explained, was for the committee to decide the method for presenting the final document to the people. He said that subsequent meetings would be held to determine exactly what would be done.

In a letter from the Attorney General, he stated that the Convention can publish and distribute the proposed constitution in any manner it chooses, but the document must be published in a daily newspaper designated as the "Official Journal of the State." Mr. Juneau recognized Mr. Bud Hebert of BUD HERBERT & Associates who gave the committee facts and figures on the cost of alternatives for publishing the document. A copy of this information is attached and made a part of these minutes.

Mr. Hebert strongly recommended a tabloid form as opposed to a booklet form, stating that the tabloid could be inserted in every Sunday edition of all daily newspapers in the state covering 72% of the households in Louisiana. After studying examples of documents from other constitutional conventions and discussing the methods available to them, Mr. Phillips suggested more fully the tabloid form. The committee adopted, for final distribution of the document to the people, the form of a tabloid. The motion carried.

The meeting adjourned at 8:10 p.m.

Mrs. Judy Dunlap  
Secretary

~~Patrick A. Juneau, Jr~~  
~~Chairman~~



Regarding the question of whom the tabloid would be distributed to, the committee decided on a motion by Mr. Joseph Toomy to limit the distribution of the document from the printer to daily newspapers. It was understood, however, that a large amount of extra copies would be printed to distribute to whomever the committee deemed necessary.

Mr. Juneau called the committee's attention to an itemized list of expenditures, a copy of which is attached and made a part of these minutes, for the entire project and a motion was given by Mr. R. W. Graham that the Public Information Committee recommend that the Convention appropriate expenditures up to the figure of \$220,520.73 for the design, publication and distribution of the final document.

The meeting adjourned at 7:30 p.m.

Mrs. Judy Dunlap  
Secretary

Patrick A. Juneau, Jr.  
Chairman

#### ESTIMATED BUDGET FOR FINAL DOCUMENT FOR 48 PAGE INSERT

Artist	\$5,000.00
Typesetting	6,000.00
Freight on distribution	5,000.00
Cost of purchasing newsprint, printing, stitching, and trimming of three sides	90,000.00
Insertion costs to 31 daily newspapers in the State	<u>114,520.73</u>
<b>TOTAL</b>	<b>\$220,520.73</b>

#### MINUTES

Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973.

Held, pursuant to notice by the Secretary in accordance with Convention rules.

Convention floor, Independence Mall, Baton Rouge, Louisiana

Thursday, January 10, 1974, After adjournment

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

#### Present

Patrick Juneau  
Robert Aertker  
Avery Alexander  
Philip Bergeron  
E. J. Chatalein  
Clyde Fontenot  
Paul Goldman  
R. W. Graham  
Norman E. Heine  
Paula Kilpatrick  
Corinne Maybucc  
Louis G. Riecke  
Charles E. Roemer, III  
Harold J. Toca  
Joseph Toomy

#### Absent

Judy Dunlap  
Shady Wall

Chairman Juneau called the meeting to order.

Minutes: The minutes of the Committee Meeting of January 3, 1974 were read and adopted as amended.

Mr. Juneau told the committee that several individuals had been specifically invited to the meeting for the purpose of information regarding the distribution of the tabloid. He also said the committee would be glad to hear from anyone else interested in appearing.

After giving a brief wrapup of what action was taken at the last committee meeting, Mr. Juneau remarked that several issues had been raised concerning whether full coverage would be afforded in distributing only to the daily newspapers and whether mailing the document had been considered.

The first guest recognized was Secretary of State Wade O. Martin who told the committee the procedure used by his office in publishing proposed amendments, where they are published, approximately how much it cost and approximately how much it would cost if the Convention utilized the same procedure. He also stated that the Secretary of State's office had no money for the publication of the document and that appropriations he had requested for such had been deleted from his budget. He went on to say that he also did not have funds available for the election. He did, however, assure the committee that he would be happy to assist in any way possible.

Mr. Juneau informed the committee that he had checked with Congressman John Breaux, who in turn met with representatives of the Post Office Department in Washington who advised him that they could see nothing to prohibit the congressmen from mailing the document out as a public service under their franking privileges. The proposed document, however, would be subject to the review of the congressmen and full consideration of the entire congressional delegation would be necessary to proceed in this manner. The chairman stated that this was just tentative information.

In that connection, Mr. Adolf Wiggins, superintendent of Postal Service in Baton Rouge, told the committee that as a state agency the Convention could use a simplified address system on the proposed tabloid and mail the document at the bulk third-class rate. Qualifying for simplified addresses allows the individual name, street address or post office box number to be omitted. The tabloids would also have to be bundled according to post office regulations. The staff checked with printers who said they could provide this service.

Mr. Max Franz, director of the Louisiana Press Association, submitted a proposal to the committee suggesting the document be printed in the official journals of the state at the legal advertising rate. He suggested it could be made available to all other newspapers in the state at 70% of the legal rate with the newspapers being responsible for printing the proposed constitution adhering to standards set by the Public Information Committee. He was asked if he had polled his members about the proposal, and when he said he hadn't, the chairman asked if he would do so and bring the information back to the committee at its Monday meeting.

Mr. Edward Bonner, representing the East and West Bank Guide newspapers, pointed out that his papers saturated the Jefferson Parish and Algiers areas, indicating that by merely placing the document into a daily newspaper in the New Orleans area would not give the desired coverage. He also stated that it would be impossible for his papers, and many other papers not represented by the LPA, to accept the proposal offered by the LPA.

Mr. Sam Reeks, editor and publisher of the Jefferson Parish Times, asked the committee to bear in mind that two issues were being discussed. First, the committee would have to meet the legal requirements and secondly, they would have to decide that action they could take after these requirements were met. He implored the committee to keep these two aspects separate to keep from becoming confused.

Mr. Carlton White, mayor of Farmerville and publisher of the Gazette and Bernice News, made the brief statement that if a person pays for a newspaper he will at least take it into the house.

Sen. Samuel Nunez, delegate to CC/73, said that the main issue involved is to get the best circulation possible, and this makes it imperative to go through the weeklies.

Mr. Tex Stevens, representing the Louisiana Weekly--the largest paid-circulation, black newspaper in the state, said his paper would like to cooperate in distributing the document, but they could not go along with the LPA's proposal.

Rep. John Alario, delegate to CC/73, said he was glad to see the committee reconsidering its decision and encouraged members to go back before the Executive Committee seeking additional funds, if necessary, to distribute the document to both dailies and weeklies.

Rev. Louis Landrum, delegate to CC/73, stated that too much time had been spent preparing the document to have it go second class or third class mail. He suggested that the committee consider going "first class" in order to reach the largest number of citizens possible through the dailies and weeklies.

After listening and discussing all the views represented at the meeting, Chairman Juneau instructed the staff and appointed a subcommittee consisting of E. J. Chatalein, chairman, Paul Goldman and Corinne Maybucc to work with the LPA and other newspapers in the state to come up with some definite figures on distributing the document for the next Public Information Committee meeting to be held Monday, January 14, 1974. More details and material on the possibility of using the franking privileges of the Louisiana congressional delegation were also to be obtained for the meeting.

The material submitted to the committee by persons appearing at the meeting is attached and made a part of these minutes.

Mrs. Judy Dunlap  
Secretary

  
Patrick A. Juneau, Jr.  
Chairman

TULANE UNIVERSITY  
MARKETING MANAGEMENT 662

Mr. Ed Rose

6 January 1971

GROUP PROJECT  
WEST BANK GUIDE NEWSPAPER

Prepared by:

B.A. Thomas  
J.W. Carson  
S.W. Enfield  
R.H. Goldsmith  
R.A. Laquement  
J.C. Powell  
M.F. Stith

A. INTRODUCTION.

The purpose of this paper is to fulfill the final requirement of Marketing Management Course 662. This paper is the result of a group effort and represents the majority opinion of the group members. There were no significant differences of opinion in the conclusions of the group or in the method in which the case was analyzed. The group was headed by Bruce A. Thomas and consisted of the following members: Bruce A. Thomas, John W. Carson, Samuel W. Enfield, Richard H. Goldsmith, Richard A. Laquement, Jaro C. Powell, and Mary F. Stith.

The "West Bank Guide" (WBG) was used as the vehicle in the case analysis. This newspaper is published once every week and is directed toward the people of the West Bank (Greater New Orleans, Louisiana) communities. Mr. Ed Rose, the publisher, certifies weekly that 54,000 copies of the newspaper are printed and delivered free of charge to residences and places of business on the West Bank. Free delivery is made to residences and local businesses in portions of Jefferson, Orleans, and Plaquemine Parishes.

The purpose of the newspaper is to serve the West Bank communities by providing news and information of local interest to the people of the West Bank. The size of the WBG varies according to the amount of advertising and news copy available. It focuses its attention on news of local interest rather than news of the City of New Orleans as a whole, national news and/or international news. It competes locally with two daily newspapers which are published in New Orleans. One of these, the "States-Item", publishes a West Bank edition which carries one full page of West Bank news and a limited amount of classified advertising of West Bank businesses and residents. Residents of the West Bank communities

normally receive one or both of the two local dailies in addition to the WBG. Mr. Rose was advised by the group that it desired to conduct a survey of the newspaper to identify the "average" reader and to determine the effectiveness

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of the newspaper as part of its Marketing Management Course requirements. Mr. Rose readily consented to the project and established no restrictions of any type which would prejudice the information obtained in the survey or derived in the analysis. Mr. Rose did publish a series of articles in the newspaper to assist the group in conducting the survey (See Exhibits 1-4).

The primary purposes of the survey were to identify the "average" consumer (reader) of the WBG and to determine the effectiveness of the WBG in satisfying the consumer's interests. Secondary goals of the survey were to determine the effectiveness of delivery, acceptance of the WBG by the reader and to determine whether or not the reader desired any significant changes in the WBG format or content and what these changes might be.

B. DESCRIPTION OF THE SITUATION.

The data for this survey was collected and analyzed by seven MBA candidates enrolled in the Tulane University Graduate School of Business Administration. All seven interviewers are Army officers whose ages range from twenty-seven to thirty-six. Six of the seven interviewers are married and have children; all seven live in the West Bank area. None of the interviewer group has had extensive formal training in market research procedures or prior practical experience in conducting surveys. These facts notwithstanding, the interviewers feel that their basic knowledge of marketing research principles derived through exposure to Professor Frank W. Bennett's Marketing Management Course 662, coupled with their individual background experiences, have enabled them to compile and analyze survey data in an intelligent and useful manner.

The basic tool used for eliciting data for the survey was a printed questionnaire (See Exhibit 5). The format of the questionnaire was developed by the interviewer group and was designed to identify the consumer (reader), determine why he reads the WBG, and establish his degree of acceptance of the paper. The

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cooperation and assistance of the WBG staff in organizing the questionnaire format and printing the actual questionnaire were indispensable and greatly appreciated.

A total of 346 interviews were made in conducting this survey. Data from three additional interviews was discarded as being irrelevant for the survey's purposes. Seventy-six of the total (22%) were conducted as door-to-door interviews, 169 (49%) were made by telephone, and 101 (29%) direct replies (mail-in) were received in response to a published questionnaire. The format for all three methods of interview was identical.

1. Door-to-Door. The seventy-six door-to-door interviews were conducted in the following residential areas: Algiers, Terrytown, Belle Meade, Avondale, Gretna, Bridge City, Metairie, Larrea, and Harvey. In an attempt to reduce the inconvenience to residents as much as possible, interviews were conducted during daylight hours, usually between 9:00 a.m. and 5:00 p.m. As a consequence, most of the door-to-door interviews (73%) were female. Although this sex of circumstances causes the door-to-door survey data to inaccurately reflect the female viewpoint, the imbalance in the male-to-female interview ratio is believed to be of little significance. All interviewers are of the opinion that the woman of the house is usually the primary reader of the WBG and, as such, her views probably deserve primary consideration. In all probability, if data had been derived as the result of an equal male-to-female ratio, it would be less accurate than the

data actually used in the survey.

2. Telephone. The telephone survey was designed to supplement the door-to-door survey and to insure that a significant portion of the sample would be entirely of random selection. The *modus operandi* in conducting the telephone survey was to assign one-seventh of the West Bank telephone directory to each interviewer with instructions that he randomly select and make a minimum of

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twenty-five successful telephone interviews using the telephone numbers contained within his assigned portion of the directory. A successful interview was defined as one in which the answering party acknowledged receipt of the *MSG* and agreed to answer the interviewer's questions.

Again, as in the case of the door-to-door survey, the data obtained in the telephone survey was influenced by the fact that most of the calls were placed during daylight hours. As a result, the majority of the respondents were female (71%). Generally speaking, successful telephone interviews were more difficult to conduct and complete than were the door-to-door interviews. Nonetheless, the data obtained from these 169 interviews appears to be equally as valid as that obtained from the more personal door-to-door survey. No significant differences in the responses obtained from the two methods of interview were noted.

3. Mail-ins. A significant segment of the total sample was comprised of mail-in questionnaires (See Exhibit 4). These questionnaires, identical in format to those used in the door-to-door and telephone surveys, were published in two successive issues of the *MSG* in order to increase the overall size of the sample and to give an opportunity to all readers to express their opinions concerning the paper. Once again, most of the respondents were female (67%), but the male/female ratio shifted somewhat in favor of the male respondent as compared to the door-to-door and telephone survey ratio.

As might be expected, the tenor of the mail-in responses differed somewhat from that of the door-to-door and telephone surveys. Generally, the mail-in respondents appeared to be avid West Bank *Quis Quis* readers and, unlike the other interviewees, were not hesitant to offer criticisms and/or complaints concerning the paper. Inasmuch as the data provided by this segment possesses unique qualities, the analysis which follows often segregates the data into two categories: (1) mail-in data and (2) the mutually compatible door-to-door/telephone

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survey data.

#### C. ANALYSIS AND DISCUSSION.

1. General. This survey has identified the consumer's likes, dislikes, and interests insofar as this newspaper is concerned, as well as those facets of the paper which are of greatest interest and value to the reader (see Table 1). The "average" consumer or reader of the *MSG* is a woman over thirty years of age who has lived on the West Bank over three years and owns her own home (see Table 2). A separate tabulation of the responses from the "average" reader described above was compared to the remaining sample population responses. The high degree of correlation verifies our "average" reader (see Table 3) as being representative of the total population sample. As might have been expected, the "average" reader is less interested in sports and editorials and more interested in want ads than their male counterparts.

The content of the *MSG* is determined principally by the amount of advertising space sold. Since the paper is delivered free of charge to all but outlying areas, advertising revenues dictate the space available for news items. The editorial policy is to devote the preponderance of space to items of civic interest, group activities and personal news, with a column devoted to each

specific community. A regular feature on the front page is "Through rose-Colored Glasses" written by the publisher, Mr. Ed Rose. This article was most frequently mentioned as the favorite column by those survey respondents who indicated a favorite column. A close second in the favorite column category is the editorial comment expressed in "Major and Minor" written by Mr. L. G. Mountha, Editor-in-Chief. This column is a subject of controversy and elicited both favorable and unfavorable comments by readers, although the majority indicated that they considered it well worth reading. The only other feature articles receiving significant mention were on the sports page.

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A significant number of readers expressed some dissatisfaction with the delivery of their paper. The survey indicates that 6.3% of the respondents were not regular readers due to irregular delivery and a total of 10.4% made some unfavorable response with regard to delivery. Assuming that the figure of 6.3% is representative of the total population of 54,000, then 3400 homes or 7600 readers (based on 2.3 readers per home - Table 2) are not being reached on a regular basis due to delivery problems. The 10.4% who responded negatively to question Q (Exhibit 5) represent 5600 copies or 13,000 possible readers who are dissatisfied with the delivery service. The primary complaint concerns delivery of the paper during inclement weather resulting in the wet papers being discarded immediately. This situation is aggravated by the fact that the competitive papers, the "Times - Picayune" and the "States-Item", are delivered in plastic bags on rainy days.

Other less frequent complaints about delivery follow: (1) some readers feel that the paper arrives too late in the day to take full advantage of advertised sales; (2) Multi-family units (duplexes and triplexes) receive only one paper for the entire building; (3) papers are sometimes not thrown directly onto sidewalks, drives, or doorsteps and are sometimes lost or difficult to find.

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TABLE 1  
RESPONSES TO QUESTIONNAIRE

Q. Read <i>MSG</i> :	Number	%
Regularly	266	77.0
Some of the time	63	18.0
Not at all	12	3.5
No response	5	1.5
B. Do not read <i>MSG</i> regularly:		
Lack of time	25	33.0
Not interested	7	9.0
Prefer another paper	8	10.0
Other reasons	30	40.0
No response	4	7.0
Total	75	
C. Read <i>MSG</i> for:		
1. Items of civic interest	242	316
2. Group and personal activities	192	175
3. Editorials	199	168
4. Sports	140	133
5. Society news	153	59
6. Women's news	156	73
7. Amusements	162	35
8. School news	166	113
9. Retail merchants advertising	260	367
10. Want ads	170	114
D. Most important item**		
Obtaining information	253	
Getting publicity	100	
Selling	85	
Making purchases	256	
F. Satisfied with delivery: YES - 291; NO - 36; No response - 19		

\*Twenty-two of thirty indicating other reasons stated that delivery problems were the cause. This correlates with the thirty-six respondents who were dissatisfied with the delivery.  
\*\*These figures are weighted. A weight of 3 was given to a response of "most important," 2 to "second most" important, and 1 to "third most" important.

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TABLE 2

## IDENTIFICATION OF RESPONDENTS

Readers: Male	99
Female	222
Total	321
Age: Under 21	19
21 - 30	63
Over 30	236
Race: White	283
Black	31
Other	6
Dwelling: Single Unit	222
Apartment	56
Other	43
Renter	78
Duration: Less than 1 year	25
1 - 3 years	51
Over 3 years	236
Number of readers per household:	2.3

Note: All figures do not total equally due to failure or unwillingness to complete all questions.

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TABLE 3

## SELECTED MAILINGS WITH POST "AVERAGE" (Woman, over 30, homeowner, over 3 years on west bank)

Total number in survey: 124

A. Regular readers: 104 - 84%

B. Reads WG for:

	Number	By Post important item
1. Items of civic interest	108	156
2. Group and personal activities	92	73
3. Editorials	86	50
4. Sports	52	29
5. Society news	60	32
6. Women's news	65	41
7. Amusements	64	5
8. School news	64	36
9. Retail merchants advertising	113	150
10. Want ads	73	41

\*These figures are weighted. A weight of 3 was given to a response of "most" important, 2 to "second most" important, and 1 to "third most" important.

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2. Reader's Comments. Of the 346 responses to the survey (mail-ins and interviews), 115 made some comment as to possible ways they feel the West Bank Guide can be improved. This group who made comments represents about one-third of the sample population and their replies indicate these people are almost completely satisfied with the WG and they put forth their comments only as ways that an already good newspaper might possibly be improved.

The comments made by the respondents are grouped in six general categories and the number of responses are as shown below:

- (1) News/editorials/community news - 38 responses (i.e. more information on civic organizations, more news on the black community, more objective news reporting, eliminate bias toward Orleans Parish, etc.)
- (2) Delivery - 36 responses (i.e. wet papers, need plastic wrappers, irregular delivery, etc.)
- (3) Amusements - 10 responses (i.e. add comics, add TV and radio schedules, etc.)
- (4) Advertising - 6 responses (i.e. more ads, fewer ads, add ads from Winn-Dixie, etc.)
- (5) Sports - 4 responses (i.e. more news, less news)

(6) Other - 27 responses (i.e. add obituaries, make WG larger, add babysitter listings, etc.).

Table 4 below shows some demographic data on those people who made comments on the WG. This table shows whether comments were made on mail-ins or interview surveys and also if the respondent is a female over thirty, a female under thirty, or a male. The group was further divided into those who had comments on delivery only or on matters other than delivery.

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TABLE 4

	Mentioned Delivery Only	Mentioned none	Total
Interviews	15	10	25
Females over 30	1	12 (28%)	13 (30%)
Females under 30	6	12 (28%)	18 (36%)
Males	6	12 (30%)	18 (36%)
Females over 30	2	12 (30%)	14 (35%)
Females under 30	3	12 (40%)	15 (40%)
Males	6	12 (40%)	18 (40%)

The mail-ins contain a larger proportion of comments of a critical nature. The mail-ins come from a group that has a more than average willingness to openly express their views. Comments are more frequently found on surveys sent in by men or from women under thirty years of age. The women over thirty, who are part of the group of average consumers, are quite satisfied with the WG and have few if any critical comments. The more dissident element, as primarily represented by mail-ins, is more heavily made up of males and females under thirty than is their portion of the total sample. Men made 40% of the comments in the mail-in survey, while they made only 27% of the comments in the total survey.

This observation on the groups making comments may represent nothing unique in that the more vocal element of the general population is usually considered to be heavily made up of men and younger women. The person identified as the "average" consumer (reader) of the WG (female over thirty, years old, lived on the west bank over three years, and who owns her own home) could likely be categorized as a member of the "silent majority" who will comment only when things are directly out of line to her way of thinking. The survey indicates that this "Mrs. Average" is very satisfied with the West Bank Guide and has mainly praise for the entire newspaper.

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## B. Criticisms.

1. The West Bank Guide enjoys high reader acceptability, relatively few readers indicate any criticism of the newspaper format or editorial policy. The average consumer is well satisfied and has few recommendations for changes in the newspaper. Proportionately, the group who registered complaints (other than those about delivery) tends to be younger and contains a greater proportion of males than the normal distribution of the sample.

2. The average reader of the WG is female, over thirty, a homeowner, and has lived on the west bank for over three years. Although she is the primary reader, other members of her family also read the paper. Of the sample surveyed, available information indicates that 2.3 people in the household read the WG. If this data holds true for the entire west bank population, approximately 100,000 inhabitants regularly read the paper.

3. The survey indicates that the reader's primary reasons for reading the WG are items of civic interest and retail merchants advertising. Although retail merchants' advertising is the most frequently read segment of the paper, it ranks second to items of civic interest in professed importance to the reader.

4. The most significant and recurring complaint regarding WBG operations concerns delivery. Approximately 10% of the sample, representing perhaps 13,000 readers, expressed some degree of dissatisfaction with delivery of the paper. The most frequent complaints concerned wet papers on rainy days, lateness of delivery (afternoon versus morning), and failure of the delivery boy to leave more than one paper at multi-family dwellings.

5. Complaints concerning delivery notwithstanding, virtually the entire West Bank area regularly receives the WBG. The thoroughness of the delivery coverage is exceptional; only rarely did a door-to-door or telephone interview uncover a household which never receives the paper.

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#### E. RECOMMENDATIONS.

1. Serious consideration should be given to providing a protective covering for the WBG when delivered during inclement weather.

2. The delivery agent should be monitored to insure greater consistency of delivery and if feasible he should accomplish his deliveries prior to noon.

3. No major changes should be initiated insofar as format and editorial style are concerned based solely on information revealed in this survey.

4. Minor revisions to include such features as horoscopes, crossword puzzles, or other items of an amusement nature would be well received by the reader and should be considered in order to increase the popularity of that portion of the West Bank Guide.

Copies furnished to Mr. Ed Rose and Prof. Frank W. Bennett Jr.  
Publication or distribution of any portion of this paper is  
prohibited without prior permission of Ed Rose, Publisher,  
"West Bank Guide", 4500 White House Highway, Wethers, W.V.  
70653.

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[illegible]

**East Bank Guide**  
1105 Chestnut Street  
Metairie, Louisiana 70002  
800-9304

## EAST BANK GUIDE DISTRIBUTION CHART

Letter	Count
A	3550
B	3527
C	3672
D	3529
E	4042
F	3543
G	3394
H	3500
I	3633
J	3634
K	3237
L	3325
M	3490
N	3607
O	3716
P	3445
R	3459
S	3300
T	3300
Office Copies	800
<b>Total</b>	<b>64,397</b>





# GUIDE NEWSPAPER CORPORATION

RESTRIKA GUIDE — EAST BANK GUIDE — RESTRIKA PRINTERS  
Serving Jefferson Parish, Orleans and Surrounding Areas

Principal Office and Printing Plant  
WEST BANK GUIDE  
2520 Belle Chasse Highway  
P.O. Box 384 Orleans, La. 70052  
Phone 504 382 4310

Guide Newspaper Corp.  
P.O. Box 384  
Orleans, La. 70052

Executive Vice President  
John Meyer  
Tulane Office

The Guide Newspapers  
Editorial  
Publishers

Joseph Pichia  
Editor in Chief  
Everett Bohner  
Advertising Manager

Glenn Longenecker  
Circulation Manager  
Harry Wright  
Printing Superintendent

Executive Committee  
Constitutional Convention '73  
Baton Rouge, La.

Dear Sir,

I would like to give you and your committee some information about the Guide Newspapers, East Bank Guide and West Bank Guide.

The West Bank Guide is a weekly newspaper distributed every Wednesday by carrier boys, who are controlled by supervisors to 62,000 homes and businesses on the West Bank of the river, in Jefferson and Orleans Parishes. This is saturation coverage of the entire West Bank area which includes all of Algiers (New Orleans), Gretna, Harvey, Belle Chasse, Metairie, Bridge City, Waggaman and Avondale.

The East Bank Guide is a weekly newspaper distributed every Wednesday by carrier boys, who are controlled by supervisors, to 64,000 homes and businesses on the East Bank of the river in Jefferson Parish which includes Metairie, Kenner and Burhan.

Combined the two newspapers have a total saturation coverage of over 126,000 homes and businesses. No other newspaper in the entire metropolitan area of New Orleans has such saturation coverage as the Guide Newspapers.

Besides having such a tremendous saturation coverage in Jefferson Parish we also have a very high and avid readership. In a recent survey performed by seven Army officers from Tulane University, it showed that the West Bank Guide has an avid readership of 72% of its total circulation. This survey also showed that 68% of this figure responded every week to the advertising in

EAST BANK GUIDE  
4405 Chalant Street  
P.O. Box 8224 Metairie, La. 70011  
Phone 504 888 9988

January 10, 1974

the Guide Newspapers. With advertising in the Guide Newspapers, you would not only increase your circulation, but also the readership and exposure to your advertising message. You would be reaching more than 300,000 more potential buyers by advertising in the Guide Newspapers. This astronomical figure that I quoted for avid readership of the West Bank is 72% above the national average of people that read suburban newspapers in the community.

I think a glance through our two newspapers will show that we are not an average weekly newspaper or throw-away. We are a full-fledged professional newspaper that has had tremendous acceptance in the community and has capitalized on the one aspect of news that no other news media can compete with. This aspect is good local news coverage, which consists of Civil News, Political News, Garden Club News, Women's News, Amusements, Sports and Classifieds.

From the latest results that we have the daily circulation of the Times-Picayune in Jefferson Parish is only 45,000 as compared to our 126,000. The circulation of the Sunday Times-Picayune is only about 70,000 in Jefferson Parish and Algiers, still far short of our 124,000. Circulation of the States-Item in Jefferson Parish and Algiers is only 32,000 as compared to our 126,000. As you can see on the average of 77,000 households in Jefferson Parish and Algiers are not receiving the metropolitan daily newspapers. Our two newspapers are delivered to every home in Jefferson Parish and Algiers.

We hope that the committee will see that we have the largest weekly newspaper in the state and that circulation in our paper is not a mere duplication of the circulation of the daily papers. Since the Sunday Times-Picayune has the circulation of 70,000 as compared to our 126,000, this still means that 56,000 homes and 150,000 people would not be seeing your tabloid in the Sunday Times-Picayune in Jefferson Parish and Algiers.

It was a pleasure talking with you and if any further information is needed please call me. (82-4303)

Sincerely,

  
Everett J. Bohner  
Advertising Director

ELB/dlr

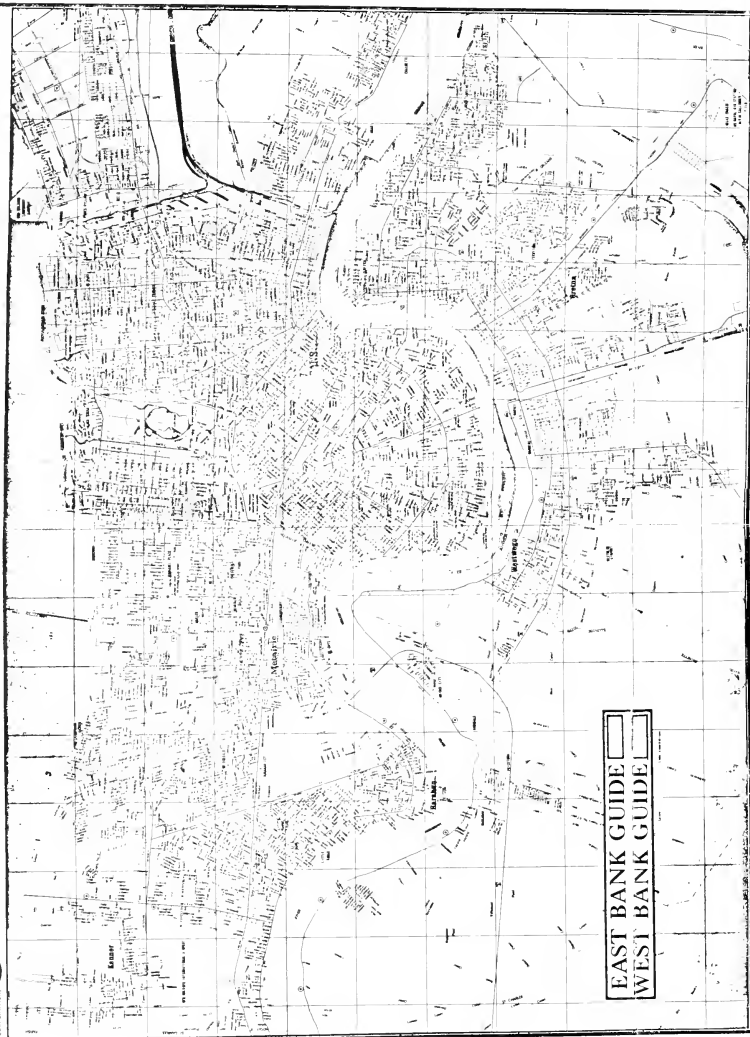
# **THE GUIDE NEWSPAPERS**

The Dominant Force in Suburban Advertising in the New Orleans Market saturating Jefferson Parish and adjoining areas.

EAST BANK GUIDE  
**64,000**

WEST BANK GUIDE  
**61,000**

TOTAL CIRCULATION  
**125,000**



EAST BANK GUIDE  
WEST BANK GUIDE

Box 1  
Lafayette, LA 70501  
Baton Rouge, LA 70801  
542-3058

## OTHER COSTS

Commercial Artist \$5,000.00

Typesetting \$6,000.00

Freight (if going through newspapers)

\* Costs for printing and mailing are based on 12 lb. newspaper.  
Printing estimates based on purchasing of newsprint at \$200 a ton.  
Size of sheet is 11 3/8 by 15

TO: MEMBERS OF THE PUBLIC INFORMATION COMMITTEE, CC73

The Louisiana Press Association would like to suggest the following plan for your consideration.

Realizing that the Constitutional Convention must work within a limited budget, this plan satisfies the legal requirements for publishing the proposed constitution while providing broad distribution throughout the state.

Our proposal is that the new constitution be published in the official journals of all 64 parishes at the legal advertising rate established by law. In addition, the document would be made available to all other newspapers published in the state at 70% of the legal rate established by law. Each newspaper would be responsible for printing the document in accordance with quality standards specified by the Public Information Committee. This plan would relieve the convention of the cost and burden of pre-printing and distributing the proposed constitution. The projected costs of this plan are as follows:

ASSUMING THE DOCUMENT CONTAINS 40,000 WORDS (Estimate by Secretary of State):

- The number of "squares" would be 400; number of space lines, 8,000.
- The cost per official journal would be:
  - \$1,400 in parishes having no city of more than 100,000 population
  - \$1,800 in parishes having a city of more than 100,000 population but less than 300,000 population
  - \$2,000 in parishes having a city of more than 300,000 population
- Insertion costs of 57 official journals in category (a).....\$79,000  
Insertion costs of 6 official journals in category (b).... 10,800  
Insertion costs of 1 official journal in category (c).... 2,000  
TOTAL COSTS FOR OFFICIAL JOURNALS.....91,800
- There are an estimated 60 other newspapers in the state which might wish to publish the document at 70% of the legal rate. The cost per insertion for each would be \$900. If all 60 newspapers published the document, cost.....\$54,000  
TOTAL PROJECTED COSTS OF PLAN.....\$157,800

## COMPANY A

### ESTIMATED COSTS

#### \*COST OF PRINTING 1 MILLION COPIES

36 pages - \$100,000.00

40 pages - Cannot print

44 pages - Cannot print

48 pages - \$120,000.00

\* Costs include bundling  
Cost for printing based on 29 lb. newspaper  
Size 11 3/8 by 14

### ESTIMATED COSTS

#### \*COST OF PRINTING 1 MILLION COPIES

36 pages - \$69,692.00

40 pages - \$75,713.00

44 pages - \$82,261.00

48 pages - \$88,780.00

#### COST FOR BUNDLING AND DELIVERY TO POST OFFICE OF 1.5 MILLION COPIES

36 pages - \$4,000

40 pages - \$4,000

44 pages - \$5,000

48 pages - \$5,000

#### BULK MAILING RATES USING 32 LB. NEWSPRINT

36 pages - \$106,667.00

40 pages - \$124,445.00

44 pages - \$142,223.00

48 pages - \$160,000.00

#### NEWSPAPER INSERT

Insertion Cost - All Dailies \$114,520.73

Total Circulation - All Dailies 945,907

Insertion Cost - All Weeklies

Total Circulation - All Weeklies 651,069

## NOTES

Text of La. Const. (1921) Art. 21, Sec. 1 and Post Office Services Circular 122.412 (1970) attached as addenda have been omitted.

## MINUTES

Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973.

Held, pursuant to notice by the Secretary in accordance with Convention rules.

Treaty Room of White House Inn, Baton Rouge, Louisiana

Tuesday, January 15, 1974, Noon recess

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

### Present

Patrick Juneau  
Avery Alexander  
Philip Bergeron  
E. J. Chatelet  
Clyde Fontenot  
Paul Goldman  
R. W. Graham  
Norman E. Heine  
Coranne Maybue  
Harold J. Toca  
Joseph Toomy

### Absent

Robert Aertker  
Judy Dunlap  
Paula Kilpatrick  
Louis G. Riecke  
Charles E. Roemer, III  
Shady Wall

Chairman Juneau called the meeting to order.

Minutes: The minutes of the Committee Meeting of January 10, 1974 were read and adopted.

Mr. Juneau recognized Mr. Max Franz, director of the Louisiana Press Association, who presented to the committee definite figures, a copy of which is attached and made a part of these minutes, stating a combined printing and insertion rate for all official journals in the state and other LPA member papers. The staff prepared the same information, which is also attached, for the non LPA papers. The plan discussed centered around furnishing the papers with a reproducible copy of the document in order for each paper to then print the tabloid according to specifications set forth by the committee.

After much consideration of all feasible possibilities for printing and distributing the tabloid, a substitute motion was offered by Mr. Toca that the method of distributing the document be through the mail. The motion carried. To further define this decision, Mr. Fontenot moved that if the franking privileges of the Louisiana congressmen were available to the committee, that the committee use these privileges to mail the document instead of paying for third class bulk mailing. The motion carried.

Following discussion on how citizens of the state could be made aware of the tabloid's arrival by mail, the committee decided on a substitute motion offered by Mr. Chatelet that a sum, not to exceed \$10,000, should be spent to advertise the arrival of the document by mail in all newspapers in the state. The same sum, not to exceed \$10,000, would also be spent to advertise by radio and television in the state. It was understood that the advertising would be strictly informative in nature, therefore, justifying its use legally. A motion made by Mr. Fontenot called for the appointment of a subcommittee to work with the staff to handle the advertising on radio and television and in the newspapers. The motion carried.

Regarding expenditures for the mailing of the document, Mr. Fontenot moved that the Public Information Committee request from the Executive Committee of the Convention appropriations of \$125,000 for the printing and distribution of the final document. The motion carried.

Mr. Graham gave a brief subcommittee report on the employment of a commercial artist to do the design, layout and type specifications for the tabloid. He stated that prices quoted by artists interviewed ranged from \$50 to \$150 a page.

The meeting adjourned at 2:00 p.m.

Mrs. Judy Dunlap  
Secretary

Patrick G. Juneau, Jr.  
Chairman

Parish	Papers	
Acadia	Bayne & Son Tribune (01) Bayne Independent Bayne Post Herald D'Arques Daily Signal D'Arques Daily News	\$1,400.00 300.00 300.00 300.00 300.00
Allen	Dakota Journal (01) Kinder News	1,400.00 300.00
Ascension	Gonzales Weekly (01) Lafayetteville Chief	1,400.00 300.00
Assumption	Assumption Pioneer Dispatches (01)	1,400.00
Avery	Bunkie Record (01) Cottonport Leader Merxville Weekly	1,400.00 300.00 300.00
Beauregard	DeKalder Enterprise (01) DeKalder Beauregard	1,400.00 300.00
Bienville	Ringgold Record (01) Archie Bienville News (01)	1,400.00 300.00
Bossier	Bossier Tribune (01) Bossier Express Bossier City Press	1,400.00 300.00 300.00
Cade	Shreveport Journal (01) & Times Vivian Cade Citizen Shreveport Times	1,400.00 300.00 300.00
Calcasieu	Lake Charles American Press (01) Natchez Weekly Vinton News Sulphur News Bellevue News	1,400.00 300.00 300.00 300.00 300.00
Caldwell	Caldwell Kitchen Progress (01) not numbered	1,400.00
Capen	Cameron Pilot (01) West Carroll Gazette-04 years	1,400.00 300.00
Catahoula	Catahoula News-Bossier (01)	1,400.00
Clatsop	Haynesville News (01) Homer Guardian Journal	1,400.00 300.00
Concordia	Concordia Sentinel-Terraday (01)	1,400.00
DeSoto	Monroe Enterprise (01) Interstate Progress-Logansport	1,400.00 300.00

Parish	Papers	
East Baton Rouge Parish	Morning Advocate (01) State Times (01) Ruler News Ruler Observer Tulay Tribune	1,400.00 300.00 300.00 300.00 300.00
East Carroll	Lake Providence & Its News (01) Lake Providence Banner (01)	1,400.00 300.00
East Feliciana	Clinton Watchman (01)	1,400.00
Evangeline	Ville Platte Gazette (01) Homer Advocate Bastille Weekly	1,400.00 300.00 300.00
Franklin	Franklin Watchman-Baton (01)	1,400.00
Grant	Colfax Chronique (01)	1,400.00
Iberia	The Daily Iberian News (01) Jeanerette Enterprise	1,400.00 300.00
Iberville	The Greater Plaquemine Post (01) White Castle News Iberville News	1,400.00 300.00 300.00
Jackson	Jackson Independent (01)	1,400.00
Jefferson	Jefferson Parish Times & Courier (01) Lemon News Jefferson Democrat-Lafayette	1,400.00 300.00 300.00
Jefferson Davis	Jennings Daily News (01) Natchez Citizen	1,400.00 300.00

Lafayette	Lafayette Daily Advertiser (01)	1,400.00
Lafourche	Thibodaux Daily Comet (01)	1,400.00
LaSalle	Jena Times-Signal (01)	1,400.00
Lincoln	Bayton Daily Leader (01)	1,400.00
Livingston	Denham Springs News (01)	1,400.00
Madison	Tallulah Madison Journal (01) DeLa Dispatch	1,400.00 300.00
Morehouse	Bastrop Daily Enterprise (01) Bastrop Clarion	1,400.00 300.00
Natchitoches	Natchitoches Times (01)	1,400.00

Parish	Papers	
Orleans	New Orleans Daily Record (01) New Orleans States News New Orleans Times-Picayune	1,400.00 1,400.00 1,400.00
Ouachita	Ouachita City News-Week (01) Monroe Morning Herald Monroe News-Observer	1,400.00 1,400.00 300.00
Plaquemine	Plaquemine Gazette-Bell (01)	1,400.00
Point Coupee	Point Coupee Banner-New Books (01)	1,400.00
Rapides	Alexandria Daily Town Talk (01)	1,400.00
Red River	The Coushatta Citizen (01)	1,400.00
Richland	Rayville Beacon News (01)	1,400.00
Sabine	Jewell Sabine News (01) Many Sabine Index	1,400.00 300.00
St. Bernard	St. Bernard Voice-Archie (01)	1,400.00
St. Charles	St. Charles Herald-Burton (01)	1,400.00
St. Helena	St. Helena Echo-Deerburg (01)	1,400.00
St. James	Lutcher News-Cameron (01)	1,400.00
St. John	Lafayette L'Observateur	1,400.00
St. Landry	Funic News (01) Opelousas Daily Herald	1,400.00 300.00
St. Martinville	Techre News-St. Martinville (01)	1,400.00
St. Mary	Franklin Banner-Tribune Daily (01) Morgan City Daily Review	1,400.00 300.00
St. Tammany	St. Tammany Farmer-Covington (01) Natchitoches Daily News Slipshill Daily News	1,400.00 300.00 300.00
St. Joseph	Texas Gazette-St. Joseph (01)	1,400.00
Terrebonne	Houma Daily Courier (01)	1,400.00
Tangipahoa	Hammond Daily Star (01) Hammond Vigilante Savoy Daily News Amite News-Herbert Tangipahoa Daily News Vernon Daily News	1,400.00 300.00 300.00 300.00 300.00 300.00

APPENDIX "0"

Parish	Papers	
Union	Farmville Gazette (01) Bernice News Journal	1,400.00 300.00
Vermilion	Kippan News (01) Abbeville Regional	1,400.00 300.00
Vernon	Leesville Leader (01)	1,400.00
Washington	Bayou Daily News (01) Eaton-Lafayette (01)	1,400.00 300.00
Webster	Springshill Press & News Journal (01) Minden Press Herald	1,400.00 300.00
West Baton Rouge	Port Allen West State Journal (01)	1,400.00
West Feliciana	St. Francisville Democrat (01)	1,400.00
Winn	Winn Parish Enterprise-Winnfield (01)	1,400.00



NON LPA WEEKLY PAPERS

<u>TOWN and PAPER</u>	<u>CIRC.</u>	<u>INSERT RATE</u>	<u>INSERTION and PRINTING</u>
Murry Newspapers			
Amite-Tangi News			
Kentwood- Kentwood Commercial			
Independence-Independent			
Hammond-Sun			
Livingston-Home Almanac			
Ponchatoula-News Herald			
Covington-St. Tammany News			
<b>TOTAL</b>	<b>21,000</b>	<b>\$1,050.00</b>	<b>\$12,480.00</b>
Baton Rouge-News Leaders (5 papers)	60,000	3,000.00	5,000.00
Bossier City-Tribune	5,130	2,880.00	3,430.00
Columbia-Caldwell Watchman Progress	2,000	100.00	1,920.00
Gentilly-The News	16,000	320.00	1,800.00
Gretna-East & West Bank Guides (Combined Rates)	126,000	4,410.00	11,000.00
Kaplan-Herald	2,500	525.00	1,505.00
Many-Toledo Sportsman	10,000	3,944.00	15,098.00
New Orleans-Louisiana Weekly	22,500	4,800.00	7,089.00
New Orleans-Vieux Carre Courier	12,500	375.00	1,975.00
New Orleans-St. Bernard News	18,000	630.00	Cannot print
Shreveport-Sun	18,500	555.00	2,643.00
<b>TOTALS</b>	<b>314,130</b>	<b>\$22,589.00</b>	<b>\$63,940.00</b>

Cost of 1/4 page ad in 120 LPA Member Papers \$7,417.62

Cost of 1/4 page ad in 12 Non LPA Papers 1,579.71

**TOTAL all Papers** \$8,997.33

January 15, 1974

Check Mark - Present

[1212]

## B. Subcommittee Minutes

## MINUTES

Subcommittee on Louisiana Hospital Television  
Network of the Committee on Public Information.

Department of Hospitals, 655 North 5th

February 21, 1973, 2:00 p.m.

Presiding: Mr. Clyde Fontenot, Chairman

Present: Mrs. Judy Dunlap

Others Present: Mr. Bob Pellegrin, Staff member assigned to Public Information Committee; Mr. L.J. Stanley, Administrator for the Louisiana Health, Social and Rehabilitation Service Administration; and Mr. Babs, Assistant to Mr. L.J. Stanley.

Mr. Fontenot called the meeting to order at 9:00 a.m. He explained the purpose of this meeting was to study the feasibility of utilizing the Louisiana Hospital Television Network for committee meetings. He introduced Mr. Lucian J. Stanley, Administrator for the Louisiana Health, Social and Rehabilitation Service Administration, who informed the committee members of the services available.

Mr. Stanley pointed out that the Louisiana Hospital Television Network system is available from 3:00 p.m. to 5:00 p.m. Mondays, Wednesdays, and Fridays, and all day Saturday and Sunday for broadcasting. Additional time can be bought after five o'clock on Mondays, Wednesdays, and Fridays at a cost of \$100.00 per hour. The two locations from which broadcasts can originate and be seen are Baton Rouge and New Orleans. The other facilities have a "talk-back" feature, but persons in these areas cannot be seen by the other participants around the state.

Mr. Stanley stated that two to four days advance notice is needed to set-up and schedule committee meetings. If art or graphic work is presented then two weeks notice is required.

After Mr. Stanley's presentation, a general discussion followed among the members and those present. At the end of the discussion the committee compiled the pros and cons of utilizing the network and concluded that the system is not feasible for committee work. A report of the committee is attached hereto and made a part of these minutes.

There being no further business, Mr. Fontenot  
adjourned the meeting.

*Clyde Fontenot*  
Clyde Fontenot, Chairman

SUB-COMMITTEE REGION

Q11

LOUISIANA HOSPITAL TELEVISION NETWORK

SUBMITTED BY - Clyde Bonczek, Chairman  
Judy Dunlap, Member

After being appointed chairman of the *Ad Hoc Committee on the Status of Women* in 1971, she

AVAILABLE

**COSTS:**

[illegible]

## VIEWING LOCATION:

Alexandria	Mandeville
Baton Rouge	Monroe
Jackson	New Orleans
Lafayette	Shreveport
Lake Charles	

and the Committee would report to the public, and not have to report to the public, reporting to the public report.

Also, the cost of \$100 per hour for the T.V. System in addition to \$500,000 per delegate is probably more expensive than \$500,000 per delegate plus travel allowances. The larger committees would possibly break even, but the smaller committee meetings would probably cost more.

The Chairman of the Committee would have to come either to Baton Rouge or New Orleans to produce the meeting since the production studios are located only in Baton Rouge and New Orleans.

At no time can the public actually view Committee proceedings in the flesh, only on a T.V. screen. Even at Earl K. Long, where production can take place, there is no room or seats available to people as a live audience. They may view the proceedings from another room by watching a T.V. screen. Their participation would have to be by the "talk back" system just like any others around the state.

#### DISCUSSION

As far as we can figure, it would be more costly to the Convention to use this T.V. Network than to pay all other travel allowances. Also on the fact that you can see only one broadcast in Baton Rouge or New Orleans and not have an infinite audience, Study points out that it would seem to us that a portion of this trip would not be as conducive to our business as would be a group public meeting in a larger place, where everyone can be heard and seen at the same time.

#### RECOMMENDATION:

This Sub-Committee recommends that the facts herein contained be made available to all members of the Public Information Committee and after being voted on, that this Committee report back to the Executive Committee and determine with them that the Hospital T.V. Network is feasible for use by the Convention and that the Hospital T.V. Network is not feasible for use by C/V's.

This Sub-Committee further recommends that this Public Information Committee vote for the proposition that the Hospital T.V. Network is not feasible for use by C/V's.

Submitted by:

*Clyde Fontenot*  
Clyde Fontenot  
Chairman, Sub-Committee

#### MINUTES

Subcommittee on Louisiana Hospital Television  
network of the Committee on Public Information  
Held pursuant to a notice mailed by the  
Secretary of the Convention March 16, 1973

Room 211, State Capitol Building

March 23, 1973, 9:00 a.m.

Presiding: Mr. Clyde Fontenot, Chairman

Present:

Mrs. Judy Dunlap

Others present: Pat Juneau, Chairman of the Committee on Public Information; Bob Pellegrin, Public Information Staff

Member: Mr. Lucian Stanley, Louisiana Hospital Television Network; Mr. Julien Mayeaux, Manager of WBRZ-TV; Mr. Ed Ramey, Program Director for WAFB-TV; Mr. Gardner, Louisiana Marketing Association; South Central Bell; Mr. Claude Smith, Marketing Manager for South Central Bell, Baton Rouge; Mr. Karpan and Mr. Wetherby, Engineers for WBRZ-TV; and members of the press.

Mr. Fontenot called the meeting to order at 9:00 a.m.

He introduced himself, Mrs. Judy Dunlap, and Mr. Pat Juneau to the group and informed them that he and Mrs. Dunlap had studied the feasibility of utilizing the Louisiana Hospital Television Network for committee meetings. Their conclusions after much debate were negative. Today the group is to determine whether or not the Louisiana Hospital Television Network would be feasible to utilize for the coverage of the Convention as a whole when it reconvenes in July. Mr. Fontenot turned the meeting over to Mr. Juneau.

Mr. Juneau advised that the purpose of today's meeting is also to find the best way to get the maximum coverage possible at the lowest possible cost. We don't want a

system from the Convention floor to just the State Hospitals. We feel we must utilize all media available and we need to know if we can go to the commercial stations through the Louisiana Hospital Television Network, the cost for such a system, and how it can be accomplished. He then turned the meeting over to Mr. Lucian Stanley of the Louisiana Hospital TV System.

Mr. Stanley stated he felt there were two problems to be considered. One, would the South Central Bell allow the commercial stations to use the ETV system without charging exorbitant tariff; Second, will the broadcasters allow the Louisiana Hospital Television staff to the pooled color equipment? It would appear there would be two charges apparent—one for the drop line from the Convention Hall to the closest State Hospital line; and the other the drop line charge from each State Hospital in the major cities to the commercial stations in that city wishing pick-up.

Mr. Jim Gardner of the Louisiana Marketing Association in New Orleans, representing South Central Bell, stated that the Louisiana Hospital Television Network is presently within a closed circuit situation and an intra-state system. When you bring in the commercial stations, this changes the system to inter-state and a different tariff applies. To bring the commercial stations into the existing system, we would have to provide an additional local channel from each station to the hospital at every location. The charges would be on a temporary basis at the regular tariff rates and this would amount to \$410.00 for the first day, \$110.00 each additional

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day, up to a maximum of \$1,225.00 per month, not to exceed the maximum. This charge would be at each one of the stations requesting the pickup from the State Hospitals. The color on a temporary arrangement would be \$4.00 an additional mile for the network. There might be additional charges

if construction work is involved. Since the hospital lines do not all go through the toll test board, the charges would still apply as the additional lines would have to be furnished.

Mr. Juneau opened up the meeting to those in attendance as he felt open exchange among those expert in the field would benefit the committee members most.

Mr. Mayeaux stated that the broadcaster will be ready to absorb many of the costs involved in order to assure the public the best coverage possible of the convention proceedings. Mr. Mayeaux will take information from the meeting to the Louisiana Association of Broadcasters annual meeting to be held April 12-14, 1973 in Lafayette, Louisiana. This will help them formulate their ideas on how best to cover the Convention proceedings. The Broadcasters expect to spend money on the event because it is a rare opportunity to perform a great public service to the people of Louisiana.

Mr. Juneau asked exactly how much cost would be on the convention for the coverage. Mr. Stanley determined that the cost would run the \$2,000.00 per month for the color configuration on the Hospital ETV system. The charges for the extra drop lines from the ETV system to

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the local stations would hopefully be absorbed by the broadcasters.

Mr. Mayeaux and Mr. Lamey pointed out that it will be up to the broadcaster as to how much coverage will be given; whether it should be live or taped; what's important and what is not.

Mr. Fontenot stated that everyone could agree there are seven cities involved, Lake Charles, Lafayette, Alexandria, Monroe, Shreveport, New Orleans, and Baton Rouge, that could be tied into the Louisiana Hospital Television Network. He asked Mr. Stanley who would operate the equipment for the broadcasts, the hospital staff or the local station.

Mr. Stanley replied that the problems one could run into would be Union, although his people are all qualified to operate the station equipment. If the station desires to have their people run the equipment, it is assumed the station would absorb the cost. Mr. Mayeaux agreed the broadcaster would do so. He also agreed the broadcaster would pickup the charge for the lines from the local station to the State Hospitals.

Mr. Claude Smith from South Central Bell, District Marketing Manager in Baton Rouge, clarified the costs as \$2000.00 per month to the convention and \$1,225.00 per month to the stations.

Mr. Mayeaux asked Mr. Smith if use of these lines in the ETV system would be allowed at the present tariff rates. Mr. Gardner replied that they could only if the

coverage was free of any commercials. Mr. Mayeaux stated that on this basis, the using of the Louisiana Hospital ETV system has no advantage to the broadcaster as they do not wish to be restricted in the way the time will be utilized. The stations wish to have the right to sell the time of the convention coverage if possible. Mr. Stanley suggested that perhaps the ETV tariff rates could apply if the commercials were sandwiched at the end or beginning of each thirty minute segments. This will be discussed between the telephone company, broadcasters, and Mr. Stanley.

Mr. Stanley stated that the time restrictions of 3-5 p.m. on Mondays, Wednesdays, and Fridays still apply. He stated that all day Saturday and Sunday would be available as well.

Mr. Juneau pointed out that the convention does not have the money to go into the television business. However, we do need to get the information to the people. We need the three of you to get together and come up with a concrete figure on just what is the cost the convention will have to absorb.

Mr. Mayeaux stated the broadcasters do not intend to charge the convention, but at the same time the broadcaster cannot have his hands tied as to how he will present the coverage.

Mr. Juneau hopes that South Central Bell will give the convention coverage as much latitude as possible within the tariff limitations. They agreed they would try. Mr.

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Stanley suggested that even though South Central Bell must charge all the interconnects, etc., there is nothing to preclude that once it has been charged South Central Bell could give a rebate to the State of Louisiana after the initial charge. The South Central Bell representative stated that they would indeed try to do all they can to ease the cost to the convention.

Mr. Mayeaux pointed out that the broadcasters are considering utilizing microwave setups rather than telephone lines and this may change the whole outlook as to using the Louisiana Hospital ETV system. Mr. Lamey stated he would rather have other facilities than Louisiana Hospital ETV system because of the limitations and he hopes the broadcasters can come up with a better solution. Both he and Mr. Mayeaux appealed for better facilities for the television stations during the convention. These problems are: one, cameras have to be too far from the speaker; two, the lighting has been poor; three, there is not adequate space available to interview delegates to the convention. Mr. Fontenot said this would be taken up to the Executive committee. Mr. Juneau reminded those present that there is a Site Committee meeting that afternoon, headed by Mrs. Ruth Miller, in charge of

locating an adequate place for the convention. He suggested someone here from the broadcasters attend and make known the needs mentioned. The meeting is at 4:00 p.m. in the Speaker's Office.

Mr. Gardner pointed out that there is not enough time to get the microwave equipment needed as there is

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not enough in the State of Louisiana at this time. If a second loop is needed by the broadcasters, there is just not enough time.

Mr. Pellegrin noted that the news of the meetings does not seem to be getting to the TV news media. They will be put on the mailing list immediately.

Mr. Fontenot stated it was obvious there would have to be another meeting as some questions were not answered at this time. The broadcasters, Mr. Stanley, and the Telephone Company will get together and come back with definite costs and answers as to how the coverage will be handled. The meeting adjourned at 10:45 a.m.

  
Clyde Fontenot, Chairman

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#### MINUTES

Minutes of the Subcommittee on Regional Meetings  
of the Joint Information Committee of the Constitutional Convention of 1973.


Held, pursuant to notice mailed by the Secretary  
of the Convention on May 27, 1973.

Room 210, State Capitol, Baton Rouge,  
Louisiana  
Thursday, May 31, 1973, 10:00 a.m.

Presiding: Norman E. Heine, Chairman of the Subcommittee on  
Regional Meetings

Present:  
Ward E. Heine  
Harold L. Jones  
Walter T. Alexander  
Louis T. Fleche

Mr. Heine called the meeting to order and explained that the purpose of the meeting was to assign dates and appoint chairmen for the various regional meetings. It was decided that the time, place and format for the meetings would be left up to the discretion of the chairmen. A copy of the subcommittee's schedule of meetings is attached and made a part of these minutes.

  
Norman E. Heine  
Chairman

#### REGIONAL MEETINGS

<u>ABBEVILLE</u>	June 28, 1973 H. G. Hardee, Chairman  Members Patrick Juneau Heloise Corne
<u>BAKER</u>	June 27, 1973 Gary O'Neill, Chairman  Members Harvey Cannon J. K. Haynes Horace Robinson Woody Jenkins Richard Kalbourne Pete Heine
<u>BASTROP</u>	June 27, 1973 David Ginn, Chairman  Members R. M. Elkins J. A. McDaniel
<u>BOGALUSA</u>	June 26, 1973 B. B. Rayburn, Chairman  Members Alvin Singletary Joseph Anzalone James Burns Frank Edwards
<u>BOSSIER</u>	June 27, 1973 Alphonse Jackson, Chairman  Members Ford Stinson "Buddy" Roemer V. C. Shannon
<u>BUNKIE</u>	June 28, 1973 Chris Roy, Chairman  Members Camille Gravel Robert Munson Lynn Perkins Charles Slay Cecil Blair
<u>CHALMETTE</u>	June 28, 1973 Chalyn Perez, Chairman  Members Samuel Nunez Elmer Tapper
<u>CROWLEY</u>	June 26, 1973 Ralph Cowen, Chairman  Members E. J. Chatelain Ruth Miller
<u>DE RIDDER</u>	June 28, 1973 J. E. Stephenson, Chairman  Members Erol Deshotels Greg Arnette Pat Hernandez
<u>GRETNA</u>	June 26, 1973 Kenneth Leithman, Chairman  Members John Alario Joseph Toomy Frank Ullo Wendell Gauthier
<u>HAMMOND</u>	June 27, 1973 Autley Newton, Chairman  Members Calvin Fayard Louis Lambert
<u>HOUMA</u>	June 26, 1973 Stanwood Duval, Chairman

	<p><u>Members</u> Charles Badeaux Hilda Erian Donald Bollinger</p>	<u>PORT ALLEN</u>	<p>June 26, 1973 "Monday" Lowe, Chairman</p>
<u>METAIRIE</u>	<p>June 27, 1973 Harold Toca, Chairman</p>		<p><u>Members</u> Fegian Rice Jessel Ourso Gordon Martin</p>
	<p><u>Members</u> Lawrence Chehardy Joseph Conino David Conroy Edward D'Gerolamo Eual Landry</p>	<u>RUSTON</u>	<p>June 28, 1973 K. D. Kilpatrick, Chairman</p>
<u>MINDEN</u>	<p>June 26, 1973 Harmon Drew, Chairman</p>		<p><u>Members</u> Bill Grier 'Bubba' Henry</p>
	<p><u>Members</u> Tom Staggs Wellborn Jack Frank Fulco</p>	<u>SULPHUR</u>	<p>June 27, 1973 A. J. Planchard, Chairman</p>
<u>MORGAN CITY</u>	<p>June 27, 1973 Anthony Guarisco, Chairman</p>		<p><u>Members</u> Mack Abraham Conway LeBlau Gerald Weiss</p>
	<p><u>Members</u> Norman Carmouche F. D. Winchester</p>	<u>THIBODAUX</u>	<p>June 28, 1973 Joe Silverberg, Chairman</p>
<u>NEW IBERIA</u>	<p>June 26, 1973 Perry Segura, Chairman</p>		<p><u>Members</u> Walter Lanier Ambrose Landry Risley Trache Richard Guidry</p>
	<p><u>Members</u> Mirosl Armentor J. Burton Willis</p>	<u>WEST MONROE</u>	<p>June 26, 1973 Shady Wall, Chairman</p>
<u>NEW ORLEANS</u>			<p><u>Members</u> James Dennis Thomas Leigh James Stovall</p>
<u>ALGIERS</u>	<p>June 25, 1973 Earl Schmitt, Chairman</p>		<p><u>Members</u> James Brown H. M. Fowler Richard Thompson</p>
	<p><u>Member</u> Matthew Sutherland</p>	<u>WINNFIELD</u>	<p>June 27, 1973 Terry Reeves, Chairman</p>
<u>UPTOWN CARROLLTON</u>	<p>June 26, 1973 Clyde Bel, Chairman</p>		<p><u>Members</u> James Brown J. D. Deblieux Robert Aertker Gordon Kean Mary Wisam Gordon Flory</p>
	<p><u>Members</u> Moise Dennerly Novyse Soniat Max Tobias Mary Zervigon</p>	<u>WINNSBORO</u>	<p>June 28, 1973 Lantz Womack, Chairman</p>
<u>LOWER UPTOWN</u>	<p>June 28, 1973 Avery Alexander, Chairman</p>		<p><u>Members</u> Judy Dunlap James Brown</p>
	<p><u>Members</u> Tom Casey Louis Landrum Edward LeBreton Edward Lennox Dorothy Taylor</p>	<u>ZACHARY</u>	<p>June 28, 1973 George Hayes, Chairman</p>
<u>UPPER DOWNTOWN</u>	<p>June 29, 1973 James Derbes, Chairman</p>		<p><u>Members</u> John Avant J. D. Deblieux Robert Aertker Gordon Kean Mary Wisam Gordon Flory</p>
	<p><u>Members</u> Claude Maubertot Anthony Rachal Anthony Vesich Kendall Vick</p>	<u>NATCHITOCHES</u>	<p>June 28, 1973 Donald Kelly, Chairman</p>
<u>GENTILLY</u>	<p>June 27, 1973 Louis Riecke, Chairman</p>		<p><u>Members</u> Terry Reeves Emmett Asseff</p>
	<p><u>Members</u> Thomas Velazquez Joseph Giarrusso</p>		
<u>9TH WARD</u>	<p>June 23, 1973 Johnny Jackson, Chairman</p>		
	<p><u>Members</u> Phil Bergeron George Warren</p>		
<u>OPELOUSAS</u>	<p>June 27, 1973 John Thistlewaite, Chairman</p>		
	<p><u>Members</u> Jackson Burson Walter Champagne John Fontenot Lawrence Sandoz</p>		

# MINUTES

Minutes of the Subcommittee on Classroom Instruction  
of the Public Information Committee of the Constitutional Convention of 1973.

Held pursuant to notice mailed by the Secretary of  
the Convention on June 13, 1973.

Committee Room 1, State Capitol, Baton Rouge,  
Louisiana

Wednesday, June 20, 1973, 2:00 p.m.

Presiding: Joe N. Silverberg, Chairman of the Subcommittee on Classroom Instruction

Present	Absent	Others Present
Joe N. Silverberg	Rusley C. Triche	Betty Beachum
Philip Bergeron		Ethan J. Chatelain
Joseph P. Toomy		Kathy Finley
		Louis J. Nicolosi

Mr. Silverberg introduced Mr. Nicolosi, Ms. Beachum and Ms. Finley of the State Department of Education. He explained that the meeting was of an exploratory nature to set up a procedure for the Convention to work with the Department of Education. He also stated that it was imperative to reach, in mass, the people of the state. Mr. Silverberg expressed that the school children could be of great assistance to the Convention if they became knowledgeable of it. Mr. Pellegrin, Public Information Officer for CC/73, stated that he and Mr. Silverberg had met early with the Department of Education to lay some ground work before the subcommittee met.

Mr. Nicolosi and Ms. Beachum brought before the subcommittee a proposal, a copy of which is attached and made a part of these minutes, calling for a Student Constitutional Convention (SCC/73). Mr. Nicolosi said that the proposal called for a "mock" convention that would involve the

students and offer an opportunity for a valuable learning experience. He also stated that a better curriculum plan on CC/73 could be devised for the coming school year as a result of the Student Constitutional Convention.

The members of the subcommittee agreed that the idea was an excellent one and endorsed the Department of Education's proposal. They also agreed to co-operate with and give support to the SCC 73 in any way they could and urge all delegates to do likewise.

Joe N. Silverberg  
Chairman

## A PROPOSAL TO ESTABLISH FOR A STUDENT CONSTITUTIONAL CONVENTION

### Participants

In following the thrust of our career education program, it is not difficult to see the educational opportunity that the Constitutional Convention affords the students and citizens of our state. Louisiana has not had such a convention in over 50 years and it is a unique event which we may not have an opportunity to experience again. The activities of the convention will directly affect every resident of the state and it is within these activities that the framework under which countless laws affecting all citizens will come into being. To actively involve students and educators in the workings of the Constitutional Convention and the processes of government and law-making is the main objective of this exciting educational endeavor. We have the possibilities of developing an educational program which shall make history in our state and which may be able to create a precedent for classroom curriculum guides within the area of social studies.

The actual organizational structure of the Student Constitutional Convention would be the same as that of our Louisiana Constitutional Convention with officers and committees elected after the students arrive. An active public information program would be an integral part of the Student Constitutional

Convention in order to disseminate information to the news media on a statewide basis. This program would also involve the enlistment of various delegates and people involved in the Convention to give a series of lectures in the evenings as to the processes involved in writing a Constitution and the workings of the committees and explanation of the rules.

In order for the proposal to be a workable pilot program, preparation for guidelines for classroom curriculum would be taken under study by the attending

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teachers. It would be the function of these teachers, under the guidance of the State Department of Education, to set up a steering committee on a local school system basis, and to develop and implement the curriculum with the approval of the State Board of Education for the fall of 1973. The curriculum guide will follow the time line of the actual convention with the final draft of the classroom curriculum completed before January 5, 1974. The writing of the Constitution by the students will be an in-class civics and American History curriculum activity.

### Objectives

- To create a statewide pilot program in career education for implementation in the classroom for the fall of 1973
- To explore the career opportunities in public service
- To motivate students to appreciate the work of state government and the involvement of citizens
- To amend and revise the present Louisiana State Constitutional Convention
- To stimulate students' and teachers in an innovative educational activity of creating and participating in a student constitutional convention
- To involve the students in the sessions and committee meetings of the State Constitutional Convention
- To meet the Governor of the State and be able to express personally the youths' point of view relative to the Constitutional Convention
- To increase all participants' knowledge of the due process of law, the democratic methods, and the writing and creating of laws
- To develop a public information program in conjunction with the Constitutional Convention

### Guidelines for Creating a Student Constitutional Convention

July 5, 1973 - July 13, 1973

### Organizational Structure

#### Personnel

- 134 students
  - 122 Student Constitutional Convention delegates
  - 12 Students to form a research bureau
- 66 teachers
- Total of 200 people from the local school systems involved in the summer delegation of the Student Constitutional Convention

#### Participation

- Participation will be on a voluntary basis at the discretion of the parish superintendent
- Each LEA may have two students and one teacher participate with the exception of the Orleans system and East Baton Rouge system. According to school population, these are the largest two systems and may have three students and one teacher.
- Each superintendent will be contacted by telephone and by personal letter

#### Cost of Student Constitutional Convention

- The cost of housing and meals will be the responsibility of the local school system
- The students and teachers may stay at LSU for a total cost of \$5.92 per person per day, including three meals a day
- Transportation costs from LSU to Independence Hall will be approximately \$4.00 per person for the entire period



- The State Department of Education will absorb the cost of printing materials for summer delegates and for use in the schools for next year.

The drafting of this proposal is but a preliminary. Should you feel that such a program is warranted, we will proceed to a full scale development of a Student Constitutional Convention with the hope of developing new classroom guides in the processes of government and their relation to current events, social studies, and the betterment of the student.

#### SUBCOMMITTEE ON CLASSROOM INSTRUCTION

Roll Call

June 20, 1973

Joe N. Silverberg ✓  
Philip O. Bergeron ✓  
Joseph F. Toomy ✓  
Risley C. Triche X

Check mark = present  
X = absent

No per diem: Joe N. Silverberg

#### MINUTES

Minutes of the Subcommittee on the Selection of an Artist of the Public Information Committee of the Constitutional Convention of 1973.

Held, pursuant to notice by the Secretary in accordance with Convention rules.

Treaty Room of White House Inn, Baton Rouge, Louisiana

Wednesday, January 9, 1974 and Thursday, January 10, 1974

Presiding: R. W. Graham, Chairman of the Subcommittee on the Selection of an Artist

#### Present

R. W. Graham  
Norman E. Heine  
Paula Kilpatrick

The following artists were interviewed by the subcommittee:

E. G. "Kirk" Kirkpatrick, Jr.  
Kirk Advertising Art  
2236 Tulip Street  
Baton Rouge, Louisiana 70806  
RATE: \$100 a page without art  
\$200 a page with art

Harry Mayronne  
Harry Mayronne Studios  
628 Dauphine Street  
New Orleans, Louisiana 70112  
RATE: \$160 a page (includes design and typography)

Jim Bonner  
Jim Bonner Advertising Art & Graphic Design  
1315 Washington Avenue  
New Orleans, Louisiana 70130  
RATE: \$100 a page (excluding typography and photographs)

Andy Smith  
Andy Smith & Associates  
6133 Goodwood Avenue  
Baton Rouge, Louisiana 70806  
RATE: \$50 a page

On completion of all the interviews, the subcommittee unanimously decided on Harry Mayronne to do the design, layout and type specifications for the tabloid.

R. W. Graham  
Chairman

#### MINUTES

Minutes of the Subcommittee on the Document of the Public Information Committee of the Constitutional Convention of 1973.

Held, pursuant to notice by the Secretary in accordance with Convention rules

Fourth floor of the LSU Law Library, Baton Rouge, Louisiana

Thursday, February 7, 1974, 3:00 p.m.

Presiding: Mayor Norman E. Heine, Chairman of the Subcommittee on the Document

#### Present

Norman E. Heine  
Patrick A. Juneau  
Corinne D. Maybucc  
Joseph F. Toomy

#### Others Present

E. J. Chatelain  
Charles W. Steindard

Chairman Heine called the meeting to order.

Mayor Heine told the subcommittee members that the purpose of the meeting was to review the artist's work and offer any suggestions they felt necessary. Mr. Juneau said that he had asked the artist to prepare two layouts for the publication of the document—one in the tabloid form and one in a booklet form similar to the copy taken from the official journal. Many problems have come up since our last committee meeting, he said, naming time as the main factor in printing and distributing the document before the April 20 election date.

After viewing the two layouts and discussing at length the advantages and disadvantages of both forms, the subcommittee decided they preferred that the booklet form be used. Major reasons cited for using the booklet form were its size, stack of paper, attractiveness, readability, mailing capacity and time. Using the booklet form would eliminate the need for typesetting, thereby saving a considerable amount of time.

The artist told the subcommittee that 32 pages would be needed to print the document, leaving 4 pages for other information. The subcommittee decided to include the following material in the booklet:

#### Front Cover

Page 1 - A list of delegates

Page 2 - A letter from the chairman as a report to the people

Page 3 - The official ballot

Page 4 - A table of contents

Pages 5-36 - The document

Back Cover - An attractive way of presenting the election date.

The meeting adjourned at 4:00 p.m.

Norman E. Heine  
Chairman

# II. Reporters

## REPORTER

Official Newsletter of the Louisiana Constitutional Convention February 28, 1973

### CONVENTION REPORTER #1

The Convention Reporter is an attempt by the Public Information Committee to keep all Convention delegates informed on the day-to-day progress of the Convention. The Reporter will feature capsule committee reports, as well as any other information which might be helpful in your work as a delegate. We also hope that through the Reporter you will be better informed so that you can pass the information on to your neighbors at home.

### PUBLIC INFORMATION COMMITTEE

The Public Information Committee has planned its activities of the committee during the coming months. At a February 12th meeting representatives from the news media presented their ideas on how the committee could be of service to them. The Committee decided that the Convention should in no way try to manage news or give out press releases to the larger newspapers and radio and television stations. It felt that if they were informed of upcoming meetings and the items on the agenda they would be capable of covering the Convention adequately.

The Committee decided, however, that since weeklies throughout the State (and there are about 90 of them) did not have the means to cover activities on the Convention, factual news releases be sent to them. Plans have been made in this area, and the first release should be sent out in the near future.

### SUB-COMMITTEE ON PRINTING

The sub-committee on Printing met for two sessions on February 7 and 12. The contract for printing for the Convention was discussed. The Division of Administration and the T.J.M. Corporation were seeking the contract. After prolonged discussion, it was decided to defer action until new bids are received for state printing.

### JUDICIARY COMMITTEE

The Judiciary Committee met February 23. The meeting was mainly an organizational one. It was decided that no draft would be written until after testimony had been taken from experts. The committee did decide that they would get their labors into three main areas: structure, personnel and finance. Gene Murrell, judicial administrator for the State Supreme Court, described the present court system and discussed some of the problems currently under study. The next meeting has been scheduled for Friday, March 2.

### COMPOSITE COMMITTEE

Plans are being made for the state-wide travels of the Composite Committee. A tentative schedule for the committee has been set:

April 17 Baton Rouge  
April 18 New Orleans  
April 23 Lake Charles  
April 24 Lafayette  
April 25 Alexandria  
April 26 Monroe  
April 27 Shreveport

The format of the meetings has not yet been decided, but the purpose is to get testimony from citizens across the state to aid the committees in their work.

### EXECUTIVE COMMITTEE

The Executive Committee met February 22. The committee authorized procedures for the purchasing of supplies and materials. Bids have been sought for the renovation of the LEO Law Library building shortly house the Registrar's staff. A sub-committee, chaired by Mrs. Ruth Miller, was appointed to study possible sites for the Convention when it reassembles in July. The committee has to soon busy considering personnel for the Convention. Those hired so far are:

Research Director  
Coordinator of Research  
  
Senior Research Assistant  
  
  
Junior Research Assistant

Norma Duncan  
M. Lee Hargrave  
Audrey Le Blanc  
Gene Farver  
Reginald Conco  
C.B. Forgeston  
Walter Landry  
Lois Michelli  
James Norris  
Joe Smith  
Carl Reis  
Jean Connor  
Betty Field  
Robert Pellegrin  
Fred Tinsley

### LOUISIANA HOSPITAL TELEVISION NETWORK

A resolution was adopted that committees televise their meetings over closed-circuit television on Louisiana Hospital Television Network. Committee meetings would have to be held at State hospitals, and the only free time is on Wednesday and Friday afternoons from 3:00 to 5:00 p.m. Meetings would be held at 5:00 p.m. on Monday, Wednesday and Friday with an estimated cost of \$100 per hour. Also pictures can be transmitted only out of New Orleans and Baton Rouge. All other areas will be able to talk back and forth, but will not be seen. A sub-committee of the Public Information Committee is looking into the matter and will have a report shortly.

### COMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

An organizational meeting was held February 26th. It was decided to receive public input as early as possible. Another meeting has been scheduled for March 19th and 20th to discuss parish government.

### COMMITTEE ON STYLE AND DRAFTING

The committee has had several meetings, and a manual on style and drafting should soon be submitted.

### GETTING TO THE PEOPLE

The people of the state are interested in the activities of the Convention. Many civic and fraternal organizations are looking for delegates to speak to their clubs. Perhaps you could speak to some in your area to tell them what their Convention is doing. Also in order for the word to be spread to the news media and other interested parties, the Public Information Committee asks that committee chairmen schedule their meetings at least one week (more if at all possible) in advance.



Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

March 17, 1973

### JUDICIARY COMMITTEE

The Judiciary Committee met March 2nd and 9th. Dean Cecil Morgan, formerly of Tulane Law School, discussed the selection of judges (appointive or elective), administrative details, payment of judges, and the retirement system. Dean Morgan also discussed the need of coordinating needed legislation resulting from the new Constitution.

Dr. George M. Pugh of U.S.U. stressed the necessity of a unified court system. He suggested that district judges be responsible for cases now heard in J.P. courts, mayor courts, etc.

Professor Delmar Karlan, from the Institute of Judicial Administration, told the committee that the Missouri Plan for selecting judges was becoming a national trend. He stated that all judges should be full-time, and appropriations for running the courts should come from the state. He suggested that general procedural policy for courts should be made by the State Supreme Court, with the help of a Court Administrator.

At its March 9th meeting the committee heard from retired Chief Justice John B. Fournet who recommended a system of district courts who would hear all types of cases, criminal and civil.

District Judge Luther Cole of Baton Rouge urged the creation of parish courts to hear misdemeanor and small claims cases. Cole also said that while he generally favored judges having some familiarity with all types of trials, he believed that if a judge were particularly adept in one field there was no reason not to specialize.

Appellate Court Judges, Minos D. Miller and Paul B. Landry, agreed that there should be no specialized criminal court of appeals. Judge Landry urged the committee to maintain appellate court review of findings of facts of lower courts. Both Judges Landry and Cole urged that the committee look closely at the retirement system. Judge Landry said that in the present system should be maintained for older judges who were close to retirement, but that perhaps a new system could be developed for the newer judges. Judge Cole agreed saying that he thought it unfair that a judge could not receive some retirement benefits if he served less than 20 years.

### COMMITTEE ON NATURAL RESOURCES

State Mineral Board Chairman Andrew Martin told the committee it should create a central management program for state lands. Mineral Board Executive Secretary, C.J. Bonnaccarelli agreed with Martin saying many school boards, lever boards, and other agencies come to the board for advice on leasing agency-owned land and mineral rights. Martin said the mineral board was the only agency with the expertise to offer this assistance, and that perhaps the board should be the clearing-house for all such land transactions.

Martin also said that the mineral board and the state land office were duplicating each other in the handling of royalty checks. He said the mineral board should have the same constitutional status as the Conservation Department, Wildlife Department, and other such constitutional bodies.

### EDUCATION AND WELFARE

The committee met for an organizational session and named three subcommittees to deal with major areas of education, Elementary and Secondary Education, and Public Welfare. The subcommittees discussed their respective plans of procedure and scheduled future meetings. The Elementary and Secondary, and Higher Education subcommittees scheduled meetings for March 20th.

at 10:00 a.m. The Public Welfare subcommittee is scheduled for March 21st at 10:00 a.m.

#### LOCAL AND PAROCHIAL

The committee met Friday and Saturday. At the first day's meeting, New Orleans Mayor John Landrieu urged the committee to abolish restrictions on local governments, especially those on New Orleans. Landrieu said that New Orleans wanted to join the rest of the state, and that the city needed the authority to make decisions in local matters without seeking permission from the Legislature.

At Saturday's meeting the committee heard from several spokesmen for municipal governments, all asking for more independence. Marvin Lyons, Executive Director of the Louisiana Municipal League, told the committee that although the present Constitution gives home rule to local governments, judicial interpretation has permitted legislative interference in local matters.

Mayor Warren J. Harang, Jr. of Thibodaux told the committee he favored giving local governments the power to do anything not prohibited by city charters, state law, or the Constitution. Mayors C. Edward Karst of Alexandria, Wilson Mossa of Eunice, Jack Breaux of Zachary and Allan Daigre of New Iberia also spoke of the need for more independence for local governments.

Joe Keogh, parish attorney for East Baton Rouge Parish appeared before the committee to ask that Baton Rouge's city-parish government be included in the new document.

#### LEGISLATIVE COMMITTEE

Two meetings were held by the committee. Three main areas of study were decided upon: organization and composition, powers, functions and limitations, procedure, and mechanics.

Bill Roberts, Secretary of the Senate, went through the provisions pertaining to the Legislature and offered his assistance to the committee, as did David Poynter, Clerk of the House. Some of the main issues facing the committee will be the length and type of sessions, the method and effect of reapportionment provisions, procedure for passing legislation, and the required age of Senators and Representatives.

The committee discussed at some length the need to strengthen the legislative branch of the state government.

It was decided to meet on March 23rd and 24th at which time some testimony will be taken, and the committee will consider some issues pertaining to the organization of the Legislature.

.....  
The Executive Committee has decided that committees will be responsible for paying for the coffee it consumes during its sessions.  
.....

Committee chairmen are urged to include as much information as possible on their committee's agenda. Notices of the committee meetings and agenda are sent to the news media and other interested parties.  
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Because of financial limitations the Executive Committee has suggested that each of the substantive committees meet no more than four days each month. At present no money has been allocated for procedural committee meetings:  
.....

The Board of Liquidation has allocated \$90,000 to the Convention to help pay expenses until the next fiscal year which begins July 1st.  
.....

The Coordinating Committee has suggested that only two committee meetings a day be scheduled. It is hoped that, in doing so, maximum useful coverage will be obtained. The committee also discussed areas, such as dual office holding, which had not been specifically assigned to a committee, and areas, such as financing public education, which overlapped two or more committees.  
.....

The Executive Committee is still discussing the Convention budget, but no decision can be made until committee chairmen turn in their respective budgets.  
.....

Any delegate wanting research from the Research Staff should contact Mrs. Norma Duncan, Director of Research, or any of the three Research Coordinators. The mailing address is P.O. Box 44473, Baton Rouge, Louisiana 70804.

#### CONVENTION CALENDAR - March 11-17

Thursday, March 15, 10:00 a.m. Committee on the Executive Department Room 9, Basement of the State Capitol

Organization of the committee, and adopting future procedures; Consider possible jurisdictional problems with other committees; Review 1921 Constitution to determine what might be deleted or retained.

Friday, March 16, 9:30 a.m. Committee on the Judiciary Committee Room 10, State Capitol

Hear testimony on the power, organization, and administration of courts.

Friday, March 16, 10:00 a.m. Committee on the Executive Department Room 205, State Capitol

Continuation of Thursday's meeting

Friday, March 16, 10:00 a.m. Committee on Revenue, Taxation, and Finance, Governor's Press Conference Room, 4th Floor, State Capitol

Discussion of 1921 Constitution regarding revenue, finance, and taxation, assessors and assessment, exemptions, state debts and management of state funds; appointment of subcommittees; scheduling of public hearing.

Friday, March 16, 10:00 a.m. Committee on Bill of Rights and Elections Room 9, Basement of State Capitol

Discussion of possible proposals, plans for meetings, and general committee organization.

Saturday, March 17, 9:00 a.m. Committee on Revenue, Finance and Taxation, Governor's Press Conference Room, 4th Floor, State Capitol

Continuation of Friday's meeting

Saturday, March 17, 10:00 a.m. Committee on Bill of Rights and Elections Room 9, Basement of State Capitol

Continuation of Friday's meeting

March 20, 1973

#### EXECUTIVE DEPARTMENT COMMITTEE

The committee met for a two day session March 15 and 16. At Thursday's meeting the committee heard from Sheldon Beychok, who told the committee that Governor Edwin Edwards' proposals for reorganizing the Executive Department would be presented to the committee in about a month. Although Beychok did not mention any specific proposals, he did say the governor's plan would call for the elimination of some state agencies from the Constitution, eliminating some elected state officials, and setting a limit on the number of departments which can be created by the Legislature.

Beychok also told the committee that it was "almost imperative" that elected state officials, including the governor, be sworn in at a reasonable time before the Legislature begins its session. John Rone, budgetary analyst for the Division of Administration, appeared before the committee Friday morning and told of efforts to consolidate state agencies for financial and budgetary purposes. At the afternoon session the committee reviewed sections of the present Constitution and decided to invite all the constitutional department heads to appear before the Legislature. In addition, invitations will also be extended to former governors John McKeithen, Jamie Davis, Sam Jones, and Robert Kennon. In addition, the committee plans to hear from state and national government research and information groups. The committee agreed to schedule another meeting March 26-27.

#### JUDICIARY COMMITTEE

In a meeting March 16 the committee was told by Justice Winslow Christian, director of the National Center for State Courts, that justice is better served by speedy action in the courts than by severity of sentence. Justice Christian also advocated a "system". He also told the committee that the judiciary article in the Constitution should be simple and concise, the co-equal status of the courts should be protected in the Constitution, courts should be independent with provisions for tenure and selection of judges and other court personnel, adequate funding of the courts should be guaranteed, and the power pertaining to the judiciary should have the greatest degree of simplicity which the people would accept, with procedural rule making power given to the State Supreme Court or to a judicial panel.

Others appearing before the committee included J. A. "Bob" Wilkes, President of the Louisiana Justices of the Peace and Constables Association, L. T. Trauth, president of the Jefferson Parish Justice of the Peace Association and Weldon LeBeau of Laceland, all of whom recommended that the committee perform a valuable service and should be retained in the new Constitution.

District Attorney Donald Martin, representing the Louisiana District Attorneys Association, and Rapides District Attorney Ed Ware, urged the committee to move cautiously in changing any articles pertaining to the District Attorneys and opposed the unified court system. Judge Dominic C. Grueshaber of New Orleans' First City Court, urged that New Orleans city court be made a part of the Orleans Parish Civil District Court with certain jurisdictional restrictions.

Stephen D. Murray of the Orleans Parish Criminal Court Bar, favored the combining of the Orleans Parish Civil and Criminal District Courts.

Murphy Bell, director of the Baton Rouge Public Defender's office, maintained that judges should control their own docket and advocated doing away with grand juries except in certain cases.

John Simmons, head of the New Orleans Parish Indigent Defender program, expressed the hope that consolidation of the civil and criminal courts would cause a back-up in civil dockets.

The committee will meet again next Friday at 9:00 A.M. Chief Justice Joe Sanders is scheduled to testify.

#### REVENUE, FINANCE AND TAXATION

Ad valorem taxes will receive early consideration by the committee. Hearings will be held March 30 and 31. The full committee will discuss the problem Friday morning. That afternoon invited expert witnesses will be heard on both sides of the issue. Saturday's session will be devoted to testimony from the general public.

The committee also decided to hold two meetings outside Baton Rouge at a later date on the property tax issue.

The full committee will discuss the property tax problem but will not hold hearings until after the state revenues other than property tax, and on local and state financing.

#### BILL OF RIGHTS

The committee passed several resolutions in a two-day session including setting aside one hour each morning of committee meetings to hear from the general public and to receive written testimony; seeking a ruling from the Rules Committee concerning minority reports; and contacting the Louisiana Hospital Television network to use its facilities to televise committee meetings every two weeks. The committee, however, decided not to set a specific date concerning use of the LHTV.

The committee also heard from several witnesses advocating an equal rights provision for women in the Bill of Rights.

In addition, the committee approved a tentative preamble to the Constitution. The preamble is subject to revision by the committee.

The language of the proposed preamble is:

We, the people of the State of Louisiana, grateful to Almighty God for the civil, political and religious liberties which we enjoy; in order to protect individual rights to life, liberty and property; to assure equality of rights; to provide opportunity for the fullest development of the individual; to provide for the health, safety and welfare of the people; to maintain a representative and orderly government; to insure domestic tranquility; to provide for a common defense; and to secure the blessings of freedom and justice to ourselves and our posterity, do ordain and establish this Constitution.

#### CONVENTION CALENDAR

Thursday March 22, 9:00 a.m. Subcommittee on Louisiana Hospital Television Network  
Room 211, State Capitol Building

To discuss the possibilities of utilizing the Louisiana Hospital Television Network. Representatives of the network have been invited to appear to testify concerning the capabilities of the system.

Thursday March 22, 4:00 p.m. Site Subcommittee of the Executive Committee  
Speaker's Office, State Capitol

The committee will meet for the purpose of discussing and visiting possible sites for general convention meetings. The committee will also meet with representatives of Daktronics and International Poll Card, electronic Voting machine companies.

Friday March 23, 9:30 a.m. Committee on the Judiciary  
Committee Room 9, Basement of the State Capitol Building

The committee will meet to hear testimony on the power, organization and administration of courts by several prominent speakers including the Honorable Joe W. Sanders, Chief Justice of the Louisiana Supreme Court.

Friday March 23, 11:00 a.m.

Saturday March 24, 9:00 a.m. Committee on Legislative Powers and Functions  
Room 205, State Capitol Building

March 23, 1973 - Public hearings at which various individuals will be heard, including: Honorable Joe W. Sanders, Chief Justice of the Louisiana Supreme Court; Honorable Robert B. Roemer, 95th District; Edward Stagg, CABE; Edward Stempel, PAR; Blake Jones, Common Cause; Claude Duval, Senator 20th District.

March 24, 1973 - Discussion of sections of the constitution dealing with composition of the legislature.

Friday March 23, 9:00 a.m. (Both days)

Saturday March 24, Committee on Natural Resources and Environment  
Mineral Board Hearing Room, Natural Resources Building

The committee will direct itself to the issue of the proposed constitution in regard to public lands and minerals. Among the witnesses scheduled to appear are: Honorable Robert B. Roemer, Professor of Law, LSU; Marc Hershman, Director of the Louisiana Coastal and Marine Resources Commission; Ellen Bryan Moore, Register of the State Land Office; Robert Brooksher, Louisiana Division of Mid-Continent Oil and Gas Association; James F. Renner, Ecology Center of Louisiana; John W. Smith; Austin Lewis, Attorney at Law; Ray Sutton, Commissioner of Conservation, and A. N. Yannopoulos, Professor of Law, L.S.U. All interested persons are invited to make comments. Persons planning to participate should contact the committee and submit written recommendations.

Monday March 26, 10:00 a.m.

Tuesday March 27, 10:00 a.m. Committee on the Executive Department  
Room 205, State Capitol Building

The committee will meet to hear testimony from representatives of the Executive Department on its organization and from expert law witnesses in the area of executive function.

March 26, 1973

#### LOCAL AND PAROCHIAL GOVERNMENT

James T. Hayes, executive director of the Louisiana Police Jury Association, told the committee that police juries should be given authority to exercise all governing powers not specifically denied them by the legislature or the constitution. He said the present constitution handicaps police juries by asking them constantly seek permission from the legislature to perform strictly local duties.

Hayes also called for the repeal of the four mill ad valorem tax limitation which is presently placed on police juries for general operating purposes and recommended that the legislature set the rate. He concluded by asking for a constitutional provision restricting the legislature from imposing obligations on local governments without providing funds to perform the obligations.

Former State Public Works Director Roy Sessums of New Orleans asked the committee to maintain the current constitutional status of levee boards. Major General Charles C. Noble of the Army Corps of Engineers agreed with Sessums, saying Louisiana's system is the best I've seen anywhere.

The committee also received a report from state Senator F. E. Lauricella of Barataria asking that the new document contain a statement calling for levee districts to be maintained "as now organized and constituted." But Lauricella's committee did ask that a provision be included giving the legislature the right to consolidate, divide or reorganize the present districts as it sees fit.

Hu B. Myers, assistant director of the state department of Public Works, told the committee some minor consolidation of levee boards could be achieved.

#### SUBCOMMITTEE ON ELEMENTARY-SECONDARY EDUCATION

Emmett Douglas, president of the state NAACP, told the committee that changes should be made in the constitution which would insure black representation on education boards. Douglas proposed the separation of collegiate and pre-collegiate functions into two boards with equal numbers of elected and appointed members, and we provisions to insure that the boards be equal to the percentage of blacks in the state. He also suggested that provisions be made to insure distribution of state funds to provide "equal level of educational services in education" and of the superintendents of the collegiate and pre-collegiate boards by their respective boards.

Ed Stagg, executive director of the Council for a Better Louisiana, proposed a simple statement on education, "The state shall maintain a system of public education for all citizens of Louisiana." Stagg said the legislature could handle other details.

If the convention chooses another route, Stagg said it should pay particular attention to the organization of education. CABE supports an elective board with an appointed superintendent.

Edward Fontaine, president of the American Federation of Teachers Local 1599 in Jefferson Parish, suggested the end of discrimination against women teachers, with leave time for pregnancy. He also said he favors dedicating revenue for education and a provision in the constitution for a state-supported retirement system.

#### SUBCOMMITTEE ON HIGHER EDUCATION

Jessie Bankston, president of the state Board of Education, told the committee that the constitution should minimally provide "for effective coordination for all educational services of ample provision for legislative authority to meet the changing needs of education; preservation of the right of voters to select the major policy makers in education; and a governance and ample provision for meeting the changing needs of all society." Bankston concluded by saying he favored a single agency administering all higher education.

Judge John T. Hood, chairman of the LSU Alumni Federation Constitution Revision Study Committee, presented a plan which calls for a board of regents to coordinate and plan all higher education, which has no administrative authority. The plan includes a board of supervisors for all educational services for state colleges and universities, plus a state board of education to regulate elementary and secondary education. The two administrative boards for higher education would have all powers not specifically given to the board of regents. The state board of education would be elected. The other three administrative boards would be appointed by the regents of the Senate, to represent all geographical areas of the state.

Senator Donald Williamson proposed a single board to govern all education with three advisory panels in the areas of elementary and secondary education, vocational-technical education and higher education.

Asford Williams, representing the Southern University Alumni Federation, proposed that Southern University be written into the constitution as "a permanent educational institution".

He also asked that any board with authority over education include minority representation in proportion to the predominant minority population in the state.

Wayne Collier, president of the LSWNA Alumni Federation, proposed a single board, geographically representative of the state, to coordinate but not administer all higher education. He also suggested that the proposed board develop a curricula which would be fair and guarantee parity of financial support for the state's institutions of higher learning.

State Superintendent of Education Louis Michot proposed a single board having jurisdiction along all facets of public education. The board should be composed of eleven elected members and six members appointed by the governor with the approval of the Senate. The board would appoint, with consent of the Senate, its chairman, its executive officer and would be responsible for establishing policy and coordinating educational efforts. The board would have the authority to appoint such bodies as it seems necessary.

#### SUBCOMMITTEE ON LITERATURE

The Public Information Committee's subcommittee investigating possible television coverage of the convention met with representatives of the Louisiana Television Network, South Central Bell and public television. Another subcommittee meeting is scheduled for late April, by which time it is hoped that definite plans, including cost to the convention, will have been made.

#### JUDICIARY COMMITTEE

Chief Justice Joe W. Sanders and Justice John A. Dixon of the Louisiana Supreme Court urged the committee to retain the provision calling for election of judges, but suggested that the election be on a non-partisan basis. Justice Dixon told the committee that elected judges are more accountable to the people.

Both justices also said they favored a unified court system at the district court level and a mandatory retirement age of 70.

Justice Sanders felt the new constitution should contain a clear statement of the administrative authority of the chief justice. He urged retention of the present Judiciary Commission, composed of judges, attorneys and citizens. For disciplining judges. He said, however, that the present system should include a provision for the possible recommendation, and Supreme Court order, for the immediate suspension of the judge under attack when the commission files a petition for the removal of a judge.

Justice Dixon called for some provision in the new document for management and administration of the multi-judge courts and said seniority is not necessarily the best means of doing this. He said the committee he favored the election of judges to the court. The justice urged retention of review of facts by appellate courts, pointing out that while on occasion a jury verdict in a civil case is reversed on appeal on an issue of fact, it is a rare occurrence.

Chief Justice Sanders said some consideration should be given to merging city courts into parish courts, with the authority to sit in an locality in the parish, while Dixon favored a three-tiered court system with the district level absorbing J.P. courts, mayor's courts, and city courts.

#### LEGISLATIVE COMMITTEE

Members of the House Executive Committee appeared before the committee and urged that more authority be given to the legislature, including more freedom to meet in annual regular session. The committee was also asked to put no restrictions on length of the sessions.

The House committee suggested an inaugural, or organizational session of the legislature following its election to allow legislators to organize and elect officers. It would then certify results of the gubernatorial election, which would allow the governor to take office several months earlier. This organizational session would last ten days.

Senator Claude Duval of Houma, chairman of the Senate Affairs Committee, also appeared before the committee. He said he generally agreed with the recommendations of the House committee, and the continuous sessions of the legislature would allow to convene an extra session by majority vote. He said an alternative might be an annual split session. The legislature would convene for 15 days in May to introduce legislation and plan public hearings. Hearings would continue until March, at which time the legislature would meet for a 45-day session to act on introduced legislation. By a two-thirds vote the session could be extended up to sixty days.

Blake Jones, representing Common Cause, asked the committee to consider establishing a unicameral legislature, similar to that in Alaska. He also suggested the size of the one house be increased to the present number of representatives and senators so that no currently elected legislators would be eliminated.

Ed Stagg, of CABLE, and Mary Day of the League of Women Voters urged careful consideration of the provision calling for the legislature to reapportion itself. Stagg suggested that perhaps the secretary of state could perform this function. By suggested as an alternative of the legislature to reapportion itself if reapportionment is not accomplished within a certain period.

In a series of straw votes the committee tentatively decided to reduce the age at which a representative could be elected to 18 and that of a Senator to 21; placed a limitation on the size of the House at 110 and on the Senate at 30; and that there be no requirements for House and Senate members should be two years in the state and one year in the district; to continue the present four-year terms for House and Senate members; and allow the legislature to determine qualifications of their respective members.

#### NATURAL RESOURCES

George W. Hardy, professor of mineral law at LSU, told the committee he favored the consolidation of the State Mineral Board, Conservation Commission, Wildlife and Fisheries Commission, State Land Office and other agencies into a single board empowered to set natural resources policy. Hardy told the committee the proposed board should dictate policy, while a separate resources director should carry it out. The committee asked Hardy to draft a proposed constitutional article embodying his proposal.

State Conservation Commissioner Ray Sutton opposed the proposal. He said the Conservation Department should not be changed under the new constitution.

Registrar of State Lands Ellen Bryan Moore said her office should also remain in the constitution, but said she is considering consolidation with the mineral board and several other agencies under a single commissioner.

The committee also discussed the possibility of allowing citizens to file class action suits to protect the environment, but decided to delay a decision in this area. Also discussed was the possibility of requiring bonds before injunctive relief is granted in such suits.

The Executive Committee has decided that delegates to the convention cannot apply their term towards state retirement.

Delegates who have made plans to speak to civic groups concerning the convention are asked to contact Bob Pellegrini in Baton Rouge so that arrangements can be made for news coverage of the speech.

Persons wishing to express their views on the Constitutional Convention or the contents of the proposed new document are now able to use the toll-free Public Information System of the state. Baton Rouge residents may call 389-2282, while those outside may call 1-800-272-9585.

#### Convention Calendar

##### Wednesday:

Coordinating Committee at 9:30 a.m., State Capitol, Room 205; discuss committee meetings coordination, committee scheduling, and possible areas of subject matter conflict.

##### Wednesday and Thursday:

Subcommittee on Public Welfare at 9:00 a.m., State Capitol, Governor's Conference Room

Press Conference Room. On Friday representatives of labor, business and industrial organizations will present their views. On Saturday areas of consumer affairs, health, and welfare will be discussed.

##### Friday:

Subcommittee on Higher education at 10:00 A.M., Department of Education, sixth floor conference room, to hear Edward Boumelal, Executive Director, and Emogene Fliner, of the Public Affairs Research Council; Dr. William Arceneaux, Executive Director of the Higher Education Coordinating Council; G. Frank Purvis, president and Edward Stagg, Executive Director, of the Council for a Better Louisiana; and Dr. Elias Blake, president of the Institute for Services to Education.

##### Friday and Saturday:

Committee on bill or rights and elections at 10:00 A.M., State Capitol, room 205, to discuss Bill of Rights and human rights; take testimony from general public from 10:00 A.M. to 11:00 A.M. each day; draft appropriate sections for an article on rights to be included in the constitution.

Committee on Revenue, Finance, and Taxation at 10:00 A.M. Friday and 9:00 A.M. Saturday in the Senate Chamber. On Friday presentation and discussion of the committee and selected speakers who are experts in the field of property taxation. Saturday morning, a committee report and then afternoon the committee will hear interested persons are invited to testify. Speakers must have a written memorandum as to presentation of subject matter.

April 2, 1971 No. 5

#### EXECUTIVE DEPARTMENT COMMITTEE

Former Governor Robert F. Kennon told the committee that he did not believe "blue ribbon" boards such as Wildlife and Fisheries, Highways and Institutions should be removed from the constitution. The former governor said several governors had attempted to do so but had failed to get voter approval.

Governor Kennon also said that he does not believe the governor is unduly burdened by the numerous appointments he must make, saying, "If the governor doesn't appoint them, who does?" Kennon added that you do not have central control in the state. Kennon added that it is good for the governor to have considerable control over executive departments.

Former Governor John McKeithen maintained that a stronger executive was needed because Louisiana accomplished very little when it was over to the legislature. He denied that the governor controls the Legislature saying the body had forced him into commitments which he didn't want to make. McKeithen said that the governor had removed most patronage jobs traditionally offered legislators, they had found other means of bargaining.

McKeithen proposed that the governor be elected for two-year terms with no restriction on the number of terms, and replied it would be "extremely desirable" to have a governor and lieutenant governor who were completely harmonious.

When asked about budget making procedures, McKeithen answered that the legislative budget committee is not useful, but only facilitates buckpassing. He suggested that the governor have the power to veto appropriations on a percentage basis to insure a balanced budget.

Secretary of State Wade O. Martin and Comptroller Roy R. Theriot said their offices should remain in the constitution with added duties.

Martin said his office should assume the duties of the custodian of the legislative budget committee, while Theriot testified his office should absorb the functions of the Division of Administration.

Martin also said that the constitution should enumerate the duties of this office in concise language including the administrator of election laws and corporation and marketing laws, keeper of the State seal and the State flag, and that it all official duties of the administrator the official archives and records department, promulgator and custodian of all state laws as well as any duties the legislature might prescribe.

Martin also suggested that a panel of the secretary of state, attorney general, and a third member, possibly representing the state clerks of court, might be empowered to accomplish reappointment of the legislature and other bodies as ordered by the courts. He also indicated that he would like to eliminate some of his duties as the State Bond and Tax Board, Liquidated Petroleum Gas Commission and the State School Employees Retirement System.

In closing, Martin told the committee that consolidation of agencies be done by the legislature, not the governor. Also, he suggested that if the State Land Office is abolished, its records be transferred to the Secretary of State for keeping.

Ed Steinel, executive director of PAR, told the committee that his organization recommended the elimination of six state elected offices. Steinel recommended that only the governor, lieutenant governor, attorney general, treasurer and secretary of state remain elective positions.

Steinel also suggested that the governor and lieutenant governor run as a team. He said the custodian of voting machines should be merged with the secretary of state, the registrar of lands merged with one or more agencies dealing with minerals, lands and conservation and the controller of the State Treasury transferred to other agencies. Steinel asserted that the governor's power does not come so much from "a grant of power to run the executive branch", but from the "tradition in looking to the governor as king."

Ed Stags, director of CABL, said the governor's powers were not in the constitution, but in statutes and tradition. He continued that his organization has long recommended the consolidation of agencies for better management - the smaller the number of state officials the more rapid the decision-making process.

Lt. Governor James Fitzmorris said either expand the duties of the lieutenant governor in the constitution or do away with the office. He suggested that the lieutenant governor's duties as presiding officer of the Senate be left untouched unless his executive duties were considerably expanded. He also urged retention of duties such as acting as governor in the governor's absence, and a position in any cabinet which the constitution may create.

State Registrar of Lands Ellen Brynn Moore proposed that all agencies dealing with public lands and natural resources be consolidated into either a new elective commissioner or turned over to a commission composed ex officio of state elected officials.

Custodian of voting machines Douglas Fowler proposed consolidation of all election duties into one office to be known as commissioner of elections which would be an elective position.

Insurance Commissioner Sherman Bernard advocated abolishing the Insurance Rating Commission with the duties assumed by his office.

Agriculture Commissioner Dave L. Pearce urged that his office also remain elective.

#### SUBCOMMITTEE ON PUBLIC WELFARE

Charles Smith Jr. (State Organization) representing the Construction Industry Legislative Council told the committee that Louisiana's Industrial tax exemption program has been a factor in the development of the state's business community and should be retained in the constitution.

Henri Wolbreite II, executive vice president of the Louisiana Chemical Association, said that a two-thirds vote to raise taxes should also be raised. Wolbreite said the requirement protects the taxpayer against a "crisis of the moment approach to taxation" and acts as a brake on state spending since the lawmakers voting appropriations know it will be difficult to raise new revenues.

#### COMMITTEE ON JUDICIARY

Allan Ashman, director of research for the American Judicature Society, suggested that courts of limited jurisdiction, such as

Ashman told the committee that the state should reserve all income presently received by the courts to be eliminated, and local governments be reimbursed for the loss. In addition, a statewide public defender system, support by the state, should be created, and the district attorney should be empowered to prosecute infractions of local and parish ordinances as well as state law. Ashman suggested that the court appointed magistrates or commissioners replace justices of the peace in such matters as "probable cause" hearings and other lesser judicial duties.

Two civil district court judges and two criminal judges, all from Orleans Parish, urged the retention of civil and criminal courts in that parish. Civil district judges should be retained, and the committee be empowered to merge the two because of problems involved in financing a unified court in Orleans. Levy also said the present physical facilities would not allow a change of this type.

Judge Richard J. Garvey, also a civil district judge, argued that "specialization permits us to do what we do best in a particular branch of law" and that judges have specialized in much the same way that lawyers have done.

Criminal district judge Oliver P. Schulingskamp termed the proposed merger as "unrealistic, unjustifiable, and undesirable." He continued that he would support unification on a financial and administrative basis but was opposed to having civil and criminal judges handle both types of cases on a rotating basis.

Judge Matthew S. Braniff, also a criminal district judge, supported Schulingskamp on the question of specialization, but spoke primarily for other matters. He said that the courts should be kept as they are, this offered the people a chance to elect their public officials. Harvey Solomon, director of studies for the Institute of Court Management, argued that the state should set the boundaries of court districts be determined by the legislature to meet shifting population.

#### SUBCOMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

A drafting subcommittee gave its tentative approval to a prohibition against individuals or groups of lawmakers telling local governments how to spend money appropriated by the legislature. The proposal would prohibit the legislature from delegating such authority to individual legislators.

The subcommittee is considering a provision allowing local governments to exercise any legislative power or perform any function which is not denied by the body's charter, the constitution, or general laws of the local government. The committee also recommended that the research staff be directed to prepare a provision authorizing local government bodies, rather than the governor, to fill vacancies in their memberships. The staff is also to draft a provision limiting the ad valorem tax millage which may be levied by local government, but providing that the limitation may be exceeded if approved by the voters of the particular subdivision affected.

#### COMMITTEE ON REVENUE, FINANCE AND TAXATION

Ad valorem taxes were given the first priority by the committee. Because of a recent district court decision calling for assessment of property at actual cash value, the committee decided to hold a two day session on ad valorem taxation.

G. O. McQuiffee, president of the Louisiana Assessors Association, recommended a \$10,000 homestead exemption and retention of veterans' exemptions. McQuiffee also urged a prohibition against the 100 per cent assessment.

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State Representative Frank Simonneau of Baton Rouge agreed with the \$10,000 exemption and presented a proposal for rolling back tax millage to offset increased assessments which might be mandated by the courts. James H. Graustein, president of the Louisiana Bureau Federation, Louis Curet, attorney for the federation, and Kenneth Bator, a West Baton Rouge sugar cane farmer, suggested that the culture lands be assessed on the basis of their use value rather than their market value.

Dr. Jan Duggar, director of the Gulf South Research Institute, told the committee that a new constitution should provide for a system of appeals against actions of assessors. He also urged that administrative practices and standards be retained and that the state retain control of assessment administration.

Dick Staggs, director of the Louisiana Department of Veterans, said that if homestead exemptions are retained in the new constitution, veterans' exemptions should also be retained.

Ponder Jones, finance chairman for the Louisiana School Board Association, told the committee that a rollback of millages would be a simple matter. He said that the Convention would be \$240 per pupil in use. In addition to Independence Hall, which will be the meeting place for the sessions, a large workroom will be available to the research staff.

#### EXECUTIVE COMMITTEE

The committee approved a subcommittee recommendation and chose the White House Inn as the site for the Convention when it meets in session July 5. From that time to the Convention will be \$240 per pupil in use. In addition to Independence Hall, which will be the meeting place for the sessions, a large workroom will be available to the research staff.

Bids were let for an electronic voting machine for use by Convention delegates.

The committee indicated it would attempt to finalize a budget request to submit to the legislature in a few weeks. Pending are the submission by committee chairmen of meeting schedules and fuller assessment of staff needs.

It was reported that renovations to the LSU Law Library should be complete in about a month.

The schedule for the Composite Committee was approved. The committee will be composed of committee chairmen or their designees. The schedule has been finalized as follows:

April 17	Baton Rouge	Natural Resources Auditorium
April 19	New Orleans	City Council Chambers
April 19	New Orleans	City Library
April 21	Lake Charles	Baldy Hall (McNeese)
April 24	Lafayette	USL Student Union Ballroom
April 25	Alexandria	City Hall
April 26	Monroe	Convention Center
April 27	Shreveport	Convention Hall Annex

All meetings will be from 2-5 and 7-9 p.m. except for April 19. This meeting will be from 9-12 noon. Area delegates were urged to attend the meetings where they will be introduced to the public at both the morning and evening sessions.

#### COORDINATING COMMITTEE

A tentative schedule of all substantive committee meetings through June has been approved by the committee. With rare exceptions only two committee meetings will be held on one day.

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Chairmen were instructed to prepare a list of issues overlapping two or more committees. The list is to be turned in by April 9. It will then be submitted to the research staff for study and subsequent determination made by the committee where necessary.

#### CONVENTION CALENDAR

April 4, 1973 to April 7, 1973

#### Wednesday:

Committee on Education and Public Welfare at 10 a.m., East Baton Rouge Parish School Board Building, 1050 South Foster Drive, to hear reports from subcommittees, public discussion, procedure for future committee operations, review of committee budgetary needs.

#### Thursday:

Subcommittee on Revenues Other Than Property Taxes at 8:30 a.m., Department of Education Building, 6th floor conference room, to discuss local taxes, exemptions, exclusions, deductions, mineral revenues, federal grants and other revenue sources.

Subcommittee on Public Welfare at 9 a.m., Louisiana Teachers' Association Building, 1755 Nicholson Drive, Baton Rouge, to hear invited speakers.

#### Friday and Saturday:

Committee on Bill of Rights at 10 a.m., Natural Resources Building, Conservation Auditorium, to hear from general public from 10-11 a.m. each day, draft appropriate sections for an article on rights. Sections drafted will be tentative and subject to revision.

Committee on Legislative Powers and Functions at 11 a.m. Friday and 9 a.m. Saturday, State Capitol, Room 205. Friday morning will be devoted to unfinished business. In the afternoon the committee will hear from John W. Patton, Senator Carl Bauer, Edward Stuenkel, Senator Edgar Mouton, Kenneth DeJean, and David Poynter. Saturday will be devoted to a discussion on apportionment, organization and composition of the legislature.

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April 10, 1973 No. 6

#### EXECUTIVE COMMITTEE

Only four of thirteen state officials who testified before the committee on the executive department this past week did not believe that their offices should be specified in the new constitution. Of the four, three are not presently in the constitution.

Edwin J. Kroevel, Liquefied Petroleum Gas Commission Director, which is presently a constitutional agency, told the committee he saw no reason why his commission should be in the new document. He said the commission absorbed the Anhydrous Ammonia Division in 1972 by act of the Legislature and the consolidation was working well.

The other three officials not requesting constitutional status were Leon Tarver, executive director of the Louisiana Commission on Intergovernmental Relations; Patrick Ryan, director of the Office of State Planning; and Dr. Charles Ryan, Commissioner of the Health, Social and Rehabilitation Service Administration. Mary did say that although he did not believe his agency should be specifically mentioned in the new document he did believe that the constitution should make some mention of the state's responsibility to provide for health and social services to those who could not afford them. In addition, Collector of Revenue, Edw. J. Kroevel, told the committee that although he was satisfied with the present constitutional status of his office, he could function purely by statutory authority.

New Orleans Levee Board president, Guy Lemieux, said the Orleans Levee District should remain in the constitution. However, the chairman of a legislative committee studying all levee boards suggested they be removed from the proposed document. Senator Francis S. "Frank" McNeese said he would lead the joint legislative committee on reorganization of levee districts recommended that the Legislature be given the power to merge or divide levee districts, protect holders of outstanding bonds, and otherwise provide for legislative creation and funding of levee districts.

Lemieux told the committee the Orleans Levee District differed from other levee districts. He explained that besides 100 miles of levees, his board controls 100 miles of marshland, the lakefront of Lake Pontchartrain, the lakefront airport, a marina, a shopping center and land reclamation. Because of these responsibilities, he said, his board is engaged in a multimillion capital improvement and should remain in the constitution to protect its financing.

Lemieux told the committee that he would like to see one change in the new constitution concerning the Orleans Levee Board. He recommended that the mayor be empowered to appoint twelve members with the approval of the city council in order to insure city involvement.

Legislative auditor Joseph Burris told the committee his job should remain in the constitution as an elective post of the

Legislature. However, he said the bulk of the present articles relating to his office could be eliminated.

Burris' immediate predecessor, J. B. Lancaster, agreed that his post should remain in the constitution and be elected by the Legislature. Former state auditor Allison Raib, however, told the committee the auditor should be elected by the people for six years.

Jerry Jones, chairman of the Wildlife and Fisheries Commission, urged the committee to keep his agency in the constitution. Jones reminded the committee that voters had rejected several proposals to remove the board's constitutional status.

Charles M. Smith, director of the Department of Commerce and Industry, testified in favor of keeping provisions relating to the industrial tax exemption program in the proposed document. He told the committee doing so would "reflect stability" in regard to the exemption.

State Fire Marshall Daymon Oliver insisted that to remove his office from the constitution might mean the fire marshal would become "lax on the job." He told the committee he did not believe there should be anyone between his office and the governor.

James E. Mixon, State Forester, also said his office should remain in the constitution. He did tell the committee that he would accept consultation with other state agencies only if the state forester was brought in "under a strong civil service system."

W. T. Taylor, State Highway Director, recommended that the highway board retain its constitutional status. He reminded the committee that when the board had been taken out of the constitution "there was wholesale firing of people." Taylor also said the board is assured of approximately \$15 million a year from dedicated royalty. He explained that this amount barely pays for administrative needs. Over half his total budget, he said, must be appropriated by the Legislature.

Ray T. Button, Commissioner of Conservation, strongly urged that his office's duties be enumerated in "exactly the same manner as is found in the present constitution." Button also said he opposed election of the commissioner saying he should be appointed by the governor.

C. Gordon Johnson argued that the Louisiana Tax Commission should have its constitutional protection maintained. Johnson, who is chairman of the commission, said his agency must still assess utilities and common carriers, as well as act as a board of review on complaints against local tax assessors.

#### SUBCOMMITTEE ON ELEMENTARY AND SECONDARY EDUCATION

The subcommittee on elementary and secondary education heard discussion on whether the superintendent of education should be elected or appointed. James O. Prescott, executive director of the Louisiana School Boards Association, urged that the superintendent be appointed by the State Board of Education.

J. L. McConathy, superintendent of Richland Parish schools and speaking as chairman of a constitutional subcommittee of the Louisiana Association of School Administrators, called for the election of the superintendent. Both Prescott and McConathy agreed that the members of the Board of Education should remain elected, although Prescott said some provision might be made for appointment by a minority of members by the governor.

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Prescott also told the committee that dedicated revenue from the severance tax should remain only as long as dedicated funds are retained by other government agencies. In addition, he recommended that the constitutional procedure for distributing the bulk of state funds be retained and insisted that all students are insured of the minimum program of education as defined by the state board of education; the constitutional valuation tax for education be retained at 5.0 mills; there should be drastic change in the provision for obtaining additional local funds for public education; and provisions for school taxes to be assessed at 100 per cent of the assessed valuation should be eliminated.

McDonathy's organization recommended removal of the constitutional provision to provide financial support directly to school children who attended private non-sectarian elementary and secondary schools.

In addition, the coordination of schools should rest within the state board of education which should determine the course of study; the state board should set policies and procedures for operation of elementary and secondary school programs; and the legislature should continue to prescribe the duties and define the power of the board and set limitations on these powers and duties.

Dr. Gene Giesert, superintendent of Orleans Parish schools, said his board believes the constitution should clearly spell out the responsibility of the state to provide adequate public education for all citizens. Dr. Giesert told the committee there should be only one state board of education to cover all education from pre-school through the university levels including adult education. He also said the board believes that "the doctrine of separation of church and state should be strictly construed: public funds should not be used for support of non-public schools, either directly or indirectly."

Edward McCormick, secretary-treasurer of the Louisiana School Employees Retirement system recommended one retirement system for the entire state. To state he said, all employees should be frozen in their existing system with the right to transfer into the new system.

#### COMMITTEE ON EDUCATION AND WELFARE

The full committee on education and welfare heard testimony from J. K. Haynes, executive secretary of the Louisiana Education Association. Haynes said the committee the new constitution would have to contain civil service reform to meet the needs of black people or perhaps it should be abolished. He specifically mentioned testing procedures used by civil service, saying tests were devised by whites without any consideration of the difference in racial experience.

There was also some discussion among committee members concerning the committee's plan to govern higher education and dedicated revenues' both items are scheduled for more discussion by the committee.

#### SUBCOMMITTEE ON PUBLIC WELFARE

In a meeting of the public welfare subcommittee various witnesses proposed condensed constitutional provisions on civil service. Harold E. Forbes, director of personnel for Civil Service, recommended that the present 14 page article relating to Civil Service be condensed to four pages.

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William Conrad, director of the New Orleans Civil Service system suggested that provisions relating to that system be reduced to three and a half pages for its present 24.

Forbes outlined an eight-point plan of "musts" for the new constitution: continue the "absolute and exclusive" present rule-making powers of the commission over employees; vest the commission with its present investigatory powers; continue it's authority for classification of employees and uniform pay provisions; continue to grant dismissed employees appellate rights to hearings before the commission; a positive guarantee that the legislature adequately fund the operations of Civil Service; add to present prohibitions against discrimination to include race, color, sex or national origin.

Lionel Darce, assistant director of the state intergovernmental relations commission, said Federal officials claimed that \$500 million has been disbursed to state agencies above the amount reflected in the central records of the Division of Administration. He suggested that his or some other state agency be set up as a monitoring agency to which all such receipts would have to be reported by all state agencies.

#### COORDINATING SUBCOMMITTEE

A subcommittee of the Coordinating Committee has been given the responsibility to devise a method of transition from the present constitution to the new document. The subcommittee heard one suggestion which would continue in effect all provisions of the old constitution and the statutes until they are changed or abolished by the legislature.

DeVan Dagget, executive director of the Legislative Council, suggested as an alternative that the legislature, either in the upcoming fiscal session, or in a special session, enact the entire present constitution into statutory law. Another suggestion proposed is to have a special section of law besides constitutional and statutory law. This special section, sometimes called quasi-constitutional, would require a two-thirds vote of the legislature to change or abolish.

No action was taken by the subcommittee, but plans were made to meet again in Baton Rouge April 14 to complete its work.

#### COMMITTEE ON BILL OF RIGHTS

The committee agreed to begin drafting a Bill of Rights at its next meeting on April 16 and 17. Three drafts prepared by individual committee members and the project of the Louisiana Law Institute will be used as guidelines.

The committee heard from several citizens at its meeting. John Martzel, representing the Louisiana Trial Lawyers Association,

urged abandonment of the requirement for appellate court review of facts in civil cases. Martzel was seconded in his recommendations by Arthur Cobb a Baton Rouge trial lawyer who pointed out that "we should try a case once and be done with it."

Debra Millenson, vice-chairman of the Council for a New State Constitution, presented the committee a list of nine provisions adopted by the New Orleans-based group including proposals for constitutional guarantees of rights for women, abolition of capital punishment, full protection of the press from restrictions on publishing news, including disclosures prior to a trial, and giving reporters the right to withhold sources in any type of proceeding. The group also asked for provisions prohibiting

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wiretapping and discrimination in housing, and urging that the use of recognition bonds as surety for court appearances be encouraged.

The committee approved a motion requiring that a minority report be supported by at least 30 percent of the committee.

#### LEGISLATIVE COMMITTEE

Ed Steinel, executive director of the Public Affairs Research Council, urged that the legislature be required to reappear itself every ten years after the federal census. Steinel said that the courts "should be sufficient protection in the event that the legislature fails to reappear itself satisfactorily."

State Senator Carl Bauer of Franklin agreed with Steinel that the legislature should be entrusted with the responsibility of reappearing the legislature. He said he would not recommend special reapportionment commissions do the job, though he conceded that he did not know how to force the legislature to act if it did not.

John W. Patton of Kansas City, Missouri, director of operations of the Citizens Conference on State Legislatures, spoke to the committee. Most of his remarks centered on the "removal of limitations on the legislature and the importance of an independent legislative branch." Specifically, he recommended the removal of restrictions on the length and subject matter of legislative sessions; paying the legislators a salary instead of relating pay to the sessions with a provision that salaries could not be increased for that term of office; removal of materials from the constitution which are statutory in nature.

State Senator Edgar Mouton of Lafayette explained that the "general weakness" of the legislature is due to the committee system. Mouton suggested that committee members be elected by legislators, though he indicated such provisions should not be in the constitution. In addition, he urged that the Senate should elect its presiding officer rather than have the lieutenant governor serve in that capacity.

The committee tentatively approved resolutions requiring that the seat of a legislator who changed his domicile from the legislative district which he represented would be declared vacant; the legislature shall reapportion itself (the committee also agreed that an alternative method should be adopted in case the legislature failed to do so, but deferred action on a specific alternative); each vacancy occurring in each house of the legislature shall be filled only by election as provided by law.

#### COMPOSITE COMMITTEE

Once again a reminder on the schedule of the Composite Committee:

April 17	Baton Rouge	Natural Resources Auditorium
April 18	New Orleans	City Council Chambers
April 19	New Orleans	City Library
April 23	Lake Charles	Baker Hall (McNees)
April 24	Lafayette	USL Student Union Ballroom
April 25	Alexandria	City Hall

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April 26	Monroe	Convention Center
April 27	Shreveport	Convention Hall Annex

All meetings will be from 2-5 and 7-9 p.m., except the 19th in New Orleans. This meeting will be from 9:00 a.m. to 12 noon. Delegates are urged to attend the afternoon and evening sessions at which time they will be introduced. Delegates are also asked to urge their constituents to attend the meeting in their area and speak to the committee.

#### CONVENTION CALENDAR

April 9 - 14

#### Monday and Tuesday:

Committee on natural resources, at 9:00 a.m., State Capitol, Governor's Press Conference Room, to discuss wildlife, fisheries, forestry and agriculture with invited speakers.



Committee on local and parochial government at 10:00 a.m. Monday and 9:00 a.m. Tuesday, Natural Resources Building, Mineral Board Hearing Room, to consider public debt and general financing obligations; intergovernmental relations and consolidation of government; zoning; and revenue sharing.

#### Tuesday:

Subcommittee on elementary and secondary education at 10:00 a.m., State Capitol, Room 205, to hear invited speakers.

#### Wednesday:

Subcommittee on higher education at 10:00 a.m., Department of Education Building, 6th floor conference room, to hear testimony on coordination, governance, and finance of higher education.

#### Wednesday and Thursday:

Subcommittee on public welfare at 10:00 a.m., Wednesday in the State Capitol, Senate Lounge, and 9:00 a.m. Thursday at the EBR Parish School Board Building, 1050 South Foster Drive. During the morning sessions the committee will hear testimony from invited witnesses representing business, industry and civil service. The afternoon sessions will be devoted to reviewing previous testimony and study drafts prepared by the staff.

#### Thursday:

Committee on education and public welfare at 1:00 p.m., EBR Parish School Board Office. The meeting of the full committee will be preceded by a joint meeting of the subcommittees on higher education and elementary and secondary education at 10:00 a.m. also in the EBR Parish School Board Office.

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#### Friday:

Subcommittee on public finance at 10:00 a.m., State Capitol, Senate Lounge, to organize subcommittee, and hear from Mr. R. J. Macias of the State Treasurer's office discuss areas of general concern.

#### Friday and Saturday:

Committee on judiciary at 9:30 a.m., State Capitol, Room 9, to hear Mr. Glenn R. Winters, executive director of the American Judicature Society, address the committee on selection of judges. Testimony will be taken on advantages and disadvantages of comprehensive jurisdiction, and preliminary votes will be taken on court structure, powers and administration.

Committee on revenue, finance and taxation at 10:00 a.m. Friday and 9:00 a.m. Saturday, Chamber of Commerce Building, 301 Canal, New Orleans. Friday morning the committee will hear invited speakers. That afternoon the general public may testify. Saturday morning will be devoted to business and public hearings. Saturday afternoon will be given to hearing subcommittee reports and discussion of proposals regarding the property tax issue.

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April 16, 1973 No. 7

#### COMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

John W. Cox, New Orleans bonding attorney, said that "there is absolutely no distinction" between bonds issued by constitutional agencies and nonconstitutional agencies provided the "statutory provision is clearly constitutional."

The board also heard from Charles F. Glennie, Jr., director of state management for State Treasurer Mary Evelyn Parker's office, who proposed that if the ports of Baton Rouge and New Orleans are given continued constitutional status, their bonding authority be removed. Glennie said he would propose that the State Bond Commission be developed into the type of organization for smaller political subdivisions that the liquidation board serves for New Orleans.

Leo Sabatine of the New York bond counsel firm of Wood, Dawson, Love and Sabatine joined others in saying there should be no debt limitation in the constitution. He said removing the two state ports would not affect any outstanding bonds.

Additionally, Harold Judell of New Orleans, bond attorney with Foley, Beck, Bewley and Landwehr, said he felt it was not practical to impose a debt limit.

Commenting on the New Orleans Odom Stadium, Judell advised caution in removing the stadium district from the constitution without taking into account other provisions which might affect it.

deLesseps Morrison, Jr., chairman of the Committee on Local and Parochial Government for the New Orleans-based Council for a New State Constitution told the committee that the new constitution should have provisions allowing parishes or municipalities to merge with only a majority vote of the people affected. Morrison admitted there was a question whether his plan would be constitutional or not and said some safeguards would have to be put in the constitution.

He later said he agreed the best plan would allow a merger by a majority vote of citizens in each area affected. In addition, Morrison suggested a broad home rule charter, similar to the charter of Baton Rouge, with a provision that it be unalterable except by a vote of the people, and allowing political subdivisions to enter into agreements, thereby encouraging inter-parish cooperation.

Joseph Bernstein, chairman of the council's Committee on Revenue and Taxation made the following recommendations on behalf of the council: A limitation on state debt be placed in the constitution; perhaps based on a percentage of total state revenue or a provision allowing the legislature to increase it; strengthen the State Bond Commission and give it overall supervision of state debt; the governor be required to budget a sum annually for debt service to include all outstanding state debt; local agencies should be taken out of the constitution without impairing their ability to borrow money.

#### COMMITTEE ON NATURAL RESOURCES

Dave Pearce, state agriculture commissioner, advocated the retention of state loans for agricultural development and livestock raising in the constitution. Pearce explained that the loan programs have "proven tremendous value" and have added much to the impetus of the agricultural economy of Louisiana." Pearce did suggest, however, that the two loan programs be combined into one agency.

Pearce maintained that his office should remain elective. "It is my own personal opinion," he said "that because of the vital role that agriculture plays in the economy of Louisiana the people want and have a right to select their agriculture commissioner."

Jerry Jones, chairman of the Wildlife and Fisheries Commission, urged the committee not to combine his agency with others. He also argued against replacing the commission with a single administrator.

John E. Trygg, assistant state health officer, said only a broad provision of authority needed to be included in the constitution regarding state regulation of air and water environment. He explained that most of the reorganization of existing, environmental agencies can be achieved through legislation. In this light, he proposed a consolidated environmental agency.

#### SUBCOMMITTEE ON PUBLIC WELFARE

The subcommittee arrived at an informal agreement to retain the state civil service system in the constitution. The subcommittee discussed financing of the system and suggested that the burden of proof be placed with the appointing authority or public employer rather than the employee in appeals of disciplinary action.

Secretary of State Wade O. Martin urged the subcommittee to include civil service in the new document. In a letter, Martin indicated that he had seen state government operate under a statutory "merit system" and a constitutional system. "Having had this background of experience," he continued, "it is my considered opinion that the best interest of the State of Louisiana will be served through a well-designed and reasonably-administered civil service system."

J. K. Haynes, executive director of the Louisiana Education Association, commented that although his organization supported civil service, certain changes were "absolutely necessary if it is to serve the purpose for which it was designed."

Haynes recommended that the Civil Service Commission be composed of nine members, three of whom must be black. Eight members would be appointed by the governor from a list of persons recommended by the president of the four-year degree granting institutions. The ninth member would be elected by civil service employees.

Haynes also recommended that testing procedures to select civil service employees be continued, but that the tests be "highly job oriented." Finally Haynes suggested that "it be written into law or provided by executive order that each employing agency be required to recruit from a list of persons of each race in white constituency in proportion to their population ratio in the state."

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#### SUBCOMMITTEE ON ELEMENTARY AND SECONDARY EDUCATION

There was some discussion by members of the Subcommittee on Elementary and Secondary Education on proposals made by the Superintendent of State Education and his assistant concerning the duty of the state to provide an equal education for all citizens.

The subcommittee heard a recommendation from Louisiana Education Superintendent Louis Michot that the state constitution include a statement guaranteeing every child in the state "an equal educational opportunity."

In addition, Assistant State Superintendent James R. Oliver said the constitution should contain a clause insuring that every citizen gets an equal opportunity to educate his children. "It happens to be in the small rural parish or the very large metropolitan area."

Some subcommittee members however, suggested that such an article would destroy community incentive to improve local education.

#### SUBCOMMITTEE ON HIGHER EDUCATION

There appeared to be agreement among subcommittee members on the concept of a board of regents as a policy-making body for Louisiana's educational system. There are differences, among committee members however, with regard to the board of regents' relationship to Louisiana State University's Board of Supervisors and the State Board of Education.

Some members have expressed the opinion that if the regents control allocation of money to higher education as well as secondary and elementary education "the cream is going to go to higher education."

#### JUDICIARY COMMITTEE

District Judge C. J. Bolin Jr., of Shreveport claimed the judiciary system is working well in Caddo Parish, and saw no need to "turn the system upside down." Although he admitted that running for election was expensive, he said he had no liking for the merit system whereby a special commission of the governor appoints judges. Judge Bolin agreed there may be a legitimate reason for New Orleans judges serving longer terms because of the cost of running for office in Orleans Parish.

Glenn R. Winters, executive director of the American Judiciary Society, spoke for the merit system of selecting judges. He advocated that a good speaking voice, a pretty face and campaign money should not be the criteria for selecting a judge. Winters admitted that the merit system does not remove judges' selection from politics, but countered that "you can balance the political forces."

Court of Appeal Judge Patrick M. Schott of New Orleans urged reform in the elective process. He said that now only the rich could run for office. He advocated abolishing the governor's power to fill vacancies and said if the power is maintained, the appointee should not be allowed to stand for the conclusion of his term. Judge Schott also asked that the power of the governor to appoint judges to fill vacancies be eliminated. Fourteenth Judicial District Judge Earl E. Veron agreed with Judge Schott, but added that the State Supreme Court could fill any temporary vacancy. Judge Veron said he favors having judges serve on both criminal and civil cases.

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District Judge Hilary Crain of Franklin suggested a nonpartisan election of judges at times differing from other political races. He said he considered the nonpartisan elections of primary importance as a first step toward improving the state's judiciary system. He told the committee he favored a three-tier system under which city court judges would become district judges, and that he favored statewide financing of the courts.

The committee adopted what it called a nonbinding provisional statement of philosophy "to leave up to the legislature and the voters the matter of whether criminal and civil district courts in New Orleans under the provision of legislation by a two-thirds vote followed by approval of voters in the area affected could consolidate, abolish, or otherwise change courts of trial jurisdiction."

On other issues the committee provisionally agreed to continue in effect, the present system for review of law by the Supreme Court; continue the Louisiana Supreme Court's criminal jurisdiction and withhold from the circuit courts of appeal any criminal appellate powers; continue the State Supreme Court's supervisory control powers over other courts; retain the present makeup of the Supreme Court and the four courts of appeal, and the districts from which the justices and judges of these courts are elected.

#### COMMITTEE ON REVENUE, FINANCE AND TAXATION

Representatives Edward O'Gerolamo and Thomas J. Rice appeared before the committee on behalf of their constituents. Both said that they felt it was the feeling of the majority of their people that there should be no increase in property taxes.

Edmond G. Miranne, president of the Security Homestead Association, said he voiced the opinion of the small home owner when he said that he did not think there should be any increase in property taxes. Miranne also said that homestead exemption should be retained.

Ed Stempel, executive director of the Public Affairs Research Council, told the group that the property tax problem was not one that should necessarily be solved by the Constitutional Convention. Stempel maintained that the issue would be handled by the courts or perhaps the legislature, and that the time is not yet right for a final solution. Because people are not sufficiently acquainted with the problem.

#### SUBCOMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

The subcommittee instructed the staff to prepare a draft proposal which would prohibit the legislature from delegating its authority relative to appropriations. The group also agreed on a proposal

relative to intergovernmental cooperation. The agreement reads, "Any parish, municipality, or other local government unit authorized by law to perform general governmental functions may exercise any of its powers or functions, including financing the same, jointly or in cooperation with any other governmental entities, either within or without the state, except as the legislature shall provide otherwise."

The subcommittee also approved a provision stating that "The salaries of officials shall not be reduced during the terms which they are elected."

#### CONVENTION CALENDAR

April 16-21, 1973

Monday:

Committee on Natural Resources at 9:00 a.m., Natural Resources Auditorium, Mineral Board Hearing Room, to discuss jurisdiction

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of the Louisiana Public Service Commission over the sale of natural gas to industry with invited speakers.

Monday and Tuesday:

Committee on Bill of Rights and Elections at 10:00 a.m., Monday, and 9:00 a.m. Tuesday, State Capitol Building, Room 205, to draft appropriate sections for an article on rights to be included in the constitution. Sections drafted will be tentative and subject to further hearings and review before final adoption by the committee.

Wednesday:

Coordinating Committee at 9:30 a.m., basement of New Orleans City Hall, mayor's private dining room, to consider the report of the subcommittee on alternatives. Jurisdictional questions will also be discussed.

Wednesday, Thursday, and Friday:

Composite Committee from 2-3 p.m. and 7-9 p.m. Wednesday and Thursday, and 9-12 noon Friday. Wednesday's meeting will be in the Natural Resources Auditorium, Thursday's in New Orleans City Council Chambers, and Friday's in the New Orleans City Library, to conduct public hearings and take testimony from any interested persons concerning their views on the new constitution. Written testimony is requested though not required.

Friday and Saturday:

Committee on Legislative Powers and Functions at 9:00 a.m. Friday and 8:00 a.m. Saturday, State Capitol, Room 205, to take up matters dealing with organization and composition of the legislature. Lt. Governor James E. Fitzmorris, Jr. will speak at 11:30 a.m. Friday.

#### Special Notice

Tuesday, April 17, 1973

Subcommittees on elementary and secondary education and higher education at 10:00 a.m., EBR Parish School Board Office Conference Room to discuss overlapping areas of responsibility.

**EX-107 REPORTER**

OFFICE OF INFORMATION  
LEGISLATIVE COMMITTEE

May 1, 1973

#### COMMITTEE ON REVENUE, FINANCE AND TAXATION

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#### COMPOSITE COMMITTEE

More than 1900 people attended the eight meetings of the committee. In addition about 300 testimony or submitted testimony for further consideration. The breakdown includes 52 people in Baton Rouge; New Orleans - 295 in a two-day session; Lake Charles - 122; Lafayette - 125; Alexandria - 114; Shreveport - 176.

Testimony is now being transcribed from tapes and will be given to the appropriate committee for their consideration.

#### SUBCOMMITTEE ON PUBLIC FINANCE

Philip Jones, general counsel of the Department of Highways, told the committee that virtually all Highway Department revenues are constitutionally dedicated revenues. Jones said that the funds were largely used to pay principal and interest on bonds. Because of this, the department "very strongly objects" to the removal of the dedications from the constitution.

He also questioned the legality of removing the funds from the constitution saying that certain bonds had been sold with a "contractual obligation" that they be retired by the various dedications.

#### COMMITTEE ON REVENUE, FINANCE AND TAXATION

A plan adopted by the Louisiana Assessors Association was presented to the committee. Under the plan all land would be assessed at 10 percent of fair market value, homes at 15 percent, with an increased homestead exemption of \$10,000 being deducted from the assessment, and all other improvements being assessed at 15 percent. Merchandise, stock in trade, and all other property would be assessed at 20 percent.

Some committee members objected to the plan saying that farmers would have to pay a big increase in taxes. Other members contended that farmers would not be penalized, and that the plan would result in more revenues in all parishes except Cade and Orleans. As a result, taxes would have to be adjusted downward.

#### SUBCOMMITTEE ON REVENUES OTHER THAN PROPERTY TAXES

The subcommittee voted to retain the 53 auto license and the two-thirds vote required for passage of taxes in the legislature. In addition, the committee voted to retain the Royalty Road Fund. The subcommittee voted to delete the 10 year industrial tax exemption, but later decided to take a closer look at the issue. Under the current proposal, the legislature would be permitted to reexamine the issue of industrial property tax exemptions and the exemptions would not automatically have been cancelled.

All actions of the subcommittee are tentative and the staff was instructed to prepare drafts on the measures with a final vote to come at a later date.

#### CONVENTION CALENDAR

April 30, 1973 to May 5, 1973

#### Monday:

Committee on legislative liaison and transitional measures at 6:30 p.m., State Capitol Building, Room 205, to organize the committee and to receive the report of the subcommittee on alternatives of the coordinating committee and to hear the comments and explanation thereof to be presented by Justice Albert Tate, Jr.

#### Monday and Tuesday:

Committee on natural resources and environment at 9:00 a.m., Mineral Board Hearing Room Natural Resource Building, on Monday Mr. Charles Smith, Director of Commerce and Industry, will speak to the committee on whether the Public Service Commission should have jurisdiction over the sale of natural gas to industry. Following Mr. Smith's testimony, other invited speakers testify.

Subcommittee on elementary and secondary education at 10:00 a.m., the Louisiana Teacher's Association Building, 1755 Nicholson Drive, to discuss proposals on the structure of elementary and secondary education.

#### Monday, Tuesday, and Wednesday

Committee on the executive department at 9:00 a.m., Monday, 9:00 a.m., Tuesday, 9:00 a.m., Wednesday, State Capitol Building, Room 205, to consider the powers, duties, and responsibilities of certain state officers including the governor, attorney general, and superintendent of education.

#### Wednesday

Coordinating Committee at 9:00 a.m., State Capitol Building, Senate lounge, to determine possible areas of conflict in subject matter being considered by substantive committees.

Subcommittee on public welfare at 10:00 a.m., State Capitol Building, Room 206, the subcommittee has scheduled public hearings.

#### Thursday

Committee on education and welfare at 10:00 a.m., at East Baton Rouge Parish School Board, 1050 South Foster Drive, to receive reports of subcommittees and to discuss proposals submitted by subcommittees.

#### Friday and Saturday

Committee on legislative powers and functions at 9:00 a.m., Friday, 8:00 a.m., Saturday, State Capitol Building, Room 205; the committee will take up matters dealing with those provisions of the constitution relating to conflicts of interests and review Category II - powers and limitations - on Friday. On Saturday the committee will continue its review of Category II - powers and limitations and will begin consideration of Category III - procedure and mechanics.

Committee on bill of rights and elections at 10:00 a.m., Friday, 9:00 a.m., Saturday, State Capitol Building, Room 206, the committee will continue the drafting of appropriate sections for an article on rights to be included in the constitution. Sections drafted will be tentative and subject to further hearings and review before final adoption by the committee.

#### LOCAL AND PAROCHIAL GOVERNMENT

A subcommittee dealing with ports and transportation agreed to delete from the constitution seven port authorities, but decided to defer action on the ports of New Orleans, Baton Rouge, and Lake Charles. The subcommittee also decided to study Nouisant International Airport and the Sabine River Authority in greater detail before taking any action on these bodies.

A subcommittee studying levee districts agreed to rewrite a short section on levee boards. Committee members decided to attempt to make some provision for providing fair payment to property owners who have land appropriated as a result of levee construction.

The subcommittee on special districts tentatively agreed to remove all special improvement districts, such as recreation, mosquito abatement and drainage districts from the constitution, but decided that the domed stadium commission and the Lake Charles district need more study.

#### PUBLIC INFORMATION COMMITTEE

A senior research assistant has been added to the staff of the Public Information Committee. Leroy Colter comes to the convention after serving as publisher of the Baker Observer and editor of the Catholic Commentator. Prior to his new position, Mr. Colter was affiliated with Weill-Brother Advertising Agency, Inc., as an executive vice-president.

CONSTITUTIONAL CONVENTION 1973

Estimated Expenditures, April, May, June, 1973

	<u>April</u>	<u>May</u>	<u>June</u>	<u>Total</u>
Salaries (Staff Only)	44,000.00	44,000.00	44,000.00	132,000.00
Employer's Contribution	3,500.00	3,500.00	3,500.00	10,500.00
Delegates Per Diem	25,800.00	25,000.00	25,800.00	77,400.00
Other Meeting Expenses	3,500.00	3,500.00	3,500.00	10,500.00
OTHER EXPENSES:				
Equipment Rental	1,000.00	1,000.00	1,000.00	3,000.00
Printing	400.00	400.00	400.00	1,200.00
Office Supplies	800.00	800.00	800.00	2,400.00
Postage	500.00	500.00	500.00	1,500.00
Tel & Tel' - 1st bill 2/25 - 3/25	825.00	900.00	1,850.00	3,575.00
Move to LSU	250.00			250.00
Renovation of Law Building LSU	12,000.00			12,000.00
				<u>\$254,325.00</u>

Balance at end of March 31, 1973 - \$171,038.48  
 Board of Liquidation Appropriation 90,000.00

Total estimated funds available \$261,083.48

Less estimated expenditures 254,325.00

\$ 6,758.48



# REPORTER

Official Newsletter of the  
PUBLIC INFORMATION COMMITTEE

May 7, 1973 P. 9

## SUBCOMMITTEE ON ELEMENTARY AND SECONDARY EDUCATION

Rejecting an appeal to insure minority representation on the State Board of Education, a subcommittee of CC/73 opted for a partially elected, partially appointed education board.

The Subcommittee on Elementary and Secondary Education voted against a plan specifying that five of the governor's seven appointees to the board must be black. Instead a plan was approved for a 15-man board with one member elected from each congressional district and seven appointed by the governor.

In a 3-2 vote the panel approved a motion in favor of an elected, rather than appointed, superintendent.

Members also agreed to insert a grandfather clause providing that any superintendent elected prior to the adoption of the new constitution would be eligible for the office even if he did not otherwise meet the requirements.

The subcommittee agreed to include a statement of educational objectives which would remove the present requirements for teaching "basic subjects." The statement reads as follows:

"The public education system shall provide at all stages of human development, learning environments and experiences that are humane, just and designed to insure educational excellence in the branches of study in order that every individual can develop to his full potential."

The panel voted to remove age limitations for school attendance and substituted the word "people" for "children." The final version read simply that the "legislature shall provide for the education of the people of the state."

Under the approved plan the Board of Education will "supervise, control, and have budgetary responsibility for all public elementary and secondary schools and special schools as provided by law."

In another 3-2 vote the subcommittee decided to recommend to the full Committee on Education and Welfare that all mention of state aid to private schools be removed from the constitution.

On another motion the panel agreed to allow aid for retarded children and other special students if they attend nonprofit schools.

Although the subcommittee agreed to retain the dedication of severance tax revenues to the school fund, it also expressed the hope that the taxation and revenue committee will remove all constitutional fund dedications.

## NATURAL RESOURCES COMMITTEE

The Natural Resources Committee received proposals to concentrate Louisiana's management of natural resources in a single state agency.

J. Arthur Smith III, attorney and research associate of the Louisiana Coastal and Marine Research Commission, pointed out the present system of management impedes policy making concerning the state's natural resources.

Smith's proposal would have the Land and Water Management Division, Superior Bureau for public lands, recreation, coastal zone management, and water and mineral resources management.

The Pollution Control Division would include bureaus for control of air pollution, water pollution and mineral resources management.

Charles M. Smith, Jr., Director of the Department of Commerce and Industry, urged the committee not to reinstate a regulation of industrial sales of natural gas to the Public Service Commission. He said the best solution for the state's natural gas shortage would be a lack of all governmental regulation on the state and federal levels.

Spokesmen for the Public Service Commission have testified that there is now a regulatory vacuum which the federal government might step in to fill unless Louisiana takes regulatory control itself.

## EXECUTIVE DEPARTMENT

Testimony by Louisiana Governor Edwin Edwards highlighted the week's activities for the Executive Department Committee. Edwards suggested that only five state positions remain elective: governor, lieutenant governor, secretary of state, treasurer, and attorney general.

All other executive functions would be handled by 12 departments, 11 headed by governor appointees.

The governor suggested this breakdown for the appointed offices:

Department of Administrative Services- Offices of Revenue, Planning, Budget, Purchasing Supplies, Information Computer Services, General Services, and Property Management.

Department of Natural Resources- Offices of Environmental Quality, Conservation, Wildlife and Fisheries, Parks, and Forestry.

Department of Community Development Programs- Offices of Planning, Law Enforcement Assistance Administration, Housing Finance, Consumer Protection, and Manpower Training.

Department of Economic Development Programs- Offices of Commerce, Financial Institutions, Occupational Standards, Tourist Development, Employment Security, and Labor.

Department of Human Resources- Offices of Social and Rehabilitation Services, Income Maintenance, Mental Health, Social Welfare, and Patient Services, Hospitals, Education and Research, and Corrections.

Department of Civil Service- Offices of Classification, Records and Reports, Examination, Investigations, and Personnel.

Department of Public Protection- Offices of Fire Marshal, Public Safety, and Civil Defense.

Department of Education- Offices of Management Research and Finance, Career and Special Education, Development Programs, and Community and Cultural Affairs.

Department of Military Affairs- Offices of Personnel, Plans and Training, and Facilities Management.

Department of Agriculture- Offices of Consumer Protection, Animal Industry, Marketing Commodity Promotion, and Plant Industry and Chemical Laboratory.

Department of Transportation and Development- Offices of Public Works, Ports and Harbor, Aeronautics, and Highways.

Department of Insurance- Offices of Finance Solvency, Revenue and Taxation, Consumer Affairs, and Insurance Ratings.

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The Department of Education would be headed by a superintendent appointed by the State Board of Education, which would be a five-member subcommittee elected by the governor for a four-year term.

Education officials headed by B. B. Hackett, superintendent of the State Teacher Personnel System, Hackett told the committee that he believed a proposal calling for a new state Department of Personnel which would include the retirement system of some merit and should be studied further.

Hackett and Roy Schaeffer, director of the system, submitted a suggested constitutional provision. Both suggested would limit the full faith and credit of the state behind the systems for the lifetime term.

Harold Forbes, director of the Civil Service, suggested including the civil service provision to four pages. He also said that if he favored the present five-member commission, he would have no objection to underscoring the undersigned governor's authority of representation, or replacing LFO with a private administration.

## SUBCOMMITTEE ON SPECIAL DISTRICTS

The subcommittee voted to remove four paragraphs from the constitution dealing with Moslems Airport, but did not seem to be as concerned with the state's three largest ports. The committee has been scheduled for the next meeting May 15.

Officials of the ports of Baton Rouge and Lake Charles agreed with the subcommittee New Orleans has heard authorities have taken their recommendations to the subcommittee, or up to the other Parish which seeks authority to set up its own port authority, but not yet been received. The subcommittee must decide what the ports are state ports or local ports.

## LEGISLATIVE COMMITTEE

The committee tentatively agreed to require a two-thirds vote for elected members of both houses at the legislature that raises the salaries of public officials. A proposal that salaries could be raised during the present term if officials were re-elected, and such a provision would have disallowed salary increases for future Court justices during their 14 year terms.

The committee also tentatively voted to substitute the word "place" in place of "highways" in the impeachment article for public officials. In addition "fish-ponds" and "littering" were substituted as reasons for impeachment. The committee scheduled a public hearing must be held for the legislature to approve the official by "addressing" it to the House of Representatives. The houses would be needed before any removal could take place.

The provision for removal is still in the air and approved by the reads except for the removal of the legislature and the state of the legislature.

Members agreed to bring before the committee a bill to amend the constitution with the legislature. It will be written into the constitution. It is already, currently, a bill to amend the constitution. The requirement for the legislature is to be held for the legislature to approve the official by "addressing" it to the House of Representatives. The houses would be needed before any removal could take place.

The committee tentatively agreed to propose a provision that the legislature may authorize that to be held for the legislature to approve the official by "addressing" it to the House of Representatives. The houses would be needed before any removal could take place.

A code of ethics provision similar to the adopted last year for the

Montana state constitution was also tentatively agreed upon. The proposed provision reads:

"The legislature shall provide a code of ethics prohibiting a conflict between public duty and private interest for members of the legislature and all state and local officers and employees."

As presently agreed upon revenue bills would continue to originate in the house of Representatives.

The committee agreed to remove from the constitution provisions relating to clerical officers and expense committee records of the legislature, referral of bills to the legislative bureau before final passage in the house where the bill did not originate, gambling, salaries being fixed in the constitution and anti-trust laws.

#### BILL OF RIGHTS COMMITTEE

The committee tentatively approved a provision which provides that all persons charged with punishment at hard labor is a necessary penalty must come by grand jury indictments in state cases. Language of the provision reads:

"Prosecution shall be initiated by indictment or information, but the prosecution of misdemeanors may be initiated by affidavits. No person shall be held to answer for capital crime, or felonies necessarily punishable by hard labor, except on indictment by a grand jury, unless he specifically waives the necessity of the indictment. No person shall be twice put in jeopardy of life or liberty for the same offense, except on his own application for a new trial or where there is a mistrial or a motion in arrest of judgment is sustained."

A section dealing with rights of the accused was also voted upon preliminarily as follows:

"When a person has been detained, he shall immediately be advised of his legal rights. In all criminal prosecutions, the accused shall be precisely informed of the nature and cause of the accusation against him. At all stages of the proceedings, every person shall be entitled to assistance of counsel of his choice, or appointed by the court in indigent cases if charged with a serious offense."

Concerning right to property the committee tentatively agreed to the following section:

"Every person has the right to acquire by voluntary means, to own, to control, to enjoy, to protect, and to dispose of private property. The right is subject to the law of forced heirship. Private property shall not be taken or damaged for public use without just compensation previously paid to the owner for the full extent of the loss. No law shall permit the taking of private property, unless required by public necessity, nor shall any business enterprise or any of its assets be taken for the purpose of operating that enterprise or for the purpose of halting competition with government enterprises, nor shall the intangible assets of any enterprise be taken. When private property shall not be expropriated except when necessary in emergency to save lives or property and personal effects shall never be expropriated. The duration of the contemplation of public use shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public. The right to trial by jury shall be reserved to the parties."

Other key provisions include:

Permitting accused persons to appear with their witnesses before grand juries.

Requiring a unanimous vote of 12-man juries to convict persons in cases where no parole or probation is possible.

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#### CONVENTION CALENDAR May 7-12

Monday:

Subcommittee on the Affairs of the City of New Orleans, at 10 a.m., Board Room of the New Orleans Public Library, to consider documents submitted by the boards and commissions of the city and to prepare a final report for the full committee.

Committee on Natural Resources, at 9:30 a.m., Mineral Board Hearing Room, Natural Resources Building, to take testimony from the general public concerning committee matters.

Tuesday:

Committee on Natural Resources at 9:30 a.m., Mineral Board Hearing Room, Natural Resources Building, to consider final proposals regarding natural resource and environmental public policy and Public Service Commission reorganization.

Committee on Education and Welfare at 1 p.m., East Baton Rouge School Board Office to discuss dedicated funds and retirement proposals from the subcommittees.

Executive Committee at 10 a.m. in Committee Room 9, State Capitol to receive and consider bids on electronic voting system for the convention, report on the status of convention personnel and a report on convention finances.

Wednesday:

Committee on the Executive Department at 9 a.m. in Room 205, State Capitol to consider provisions to be included in an article on the executive department.

Thursday:

Committee on the Executive Department at 9 a.m. in Room 205, State Capitol to consider provisions to be included in an article on the executive department.

Subcommittee on Elementary and Secondary Education at 10 a.m., I.T.A. Building on Nicholson Drive to draft proposals for elementary and secondary education and at 2 p.m. to discuss public financing of education.

Subcommittee on Public Finance of the Committee on Revenue, Finance and Taxation at 2 p.m., in Committee Room 206, State Capitol to consider staff recommendations for proposals to be submitted to the full committee.

Friday:

Committee on the Executive Department at 9 a.m. in Room 205, State Capitol to consider provisions to be included in an article on the executive department.

Committee on Judiciary at 9:30 a.m. in Room 205, State Capitol to hear testimony concerning the Judiciary from Professor Geoffrey C. Hazard, Jr., of the Yale Law School; Attorney General William J. Guste, Jr.; Dr. Hypolite T. Landry, Jr., coroner of East Baton Rouge Parish; Sheriff Bailey Grant of Ouachita Parish. At the conclusion of the testimony, the committee will continue considering the discussion draft of the Judiciary Article and take votes on preliminary proposals.

Friday: (continued)

Committee on Revenue, Finance and Taxation 10 a.m. in Committee Room 9, State Capitol to discuss Associates' Associations proposal on property taxes and discuss study on property tax exemption for industries.

Saturday:

Committee on Revenue, Finance and Taxation at 9 a.m. in Committee Room 9, State Capitol subcommittees will meet to discuss staff recommendations of proposals.

Committee on Judiciary at 9:30 a.m. in Committee Room 205, State Capitol to hear comments from Associate Justice Frank W. Summers of the Louisiana Supreme Court concerning the selection of the Chief Justice and Mayor Morris Godet of Port Barre will then discuss the Mayor's Court. Following their discussion the committee will continue voting on the preliminary proposal.

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INCLUDED WITH THIS WEEK'S REPORTER IS THE PREAMBLE AND RIGHTS ARTICLE FOR THE NEW LOUISIANA CONSTITUTION DRAFTED BY THE COMMITTEE ON BILL OF RIGHTS AND BILL OF RIGHTS ARTICLE 12.

# REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

May 14, 1973 No. 10

#### EDUCATION AND WELFARE

The Committee on Education and Welfare tentatively agreed to a three-board concept for governing higher education under the plan a 17-man Board of Regents, appointed by the governor, would be responsible for budgetary, coordinating and long range planning powers for all higher education.

Two other 17-man boards would also be created: one to manage day-to-day affairs of the LSU system, the other for all other state colleges and universities.

#### NATURAL RESOURCES

The Committee on Natural Resources decided to move from the constitution to the state all provisions dealing with the register of state lands and the Department of Conservation, and retain the constitutional dedication of any future tidelands settlement for retiring state bonds.

Although the committee noted that the Coordinating Committee had decided the commissions or committees came under the jurisdiction of the Executive Department it nevertheless passed a proposal to keep the office elective and to exempt the commissioner from consolidation with any other agency by the legislature.

In other action the committee voted to:

Retain the Royalty Road Fund in the constitution.

Keep the provision which allows the state to reserve its mineral rights when it sells property.

Leave the consideration of the severance tax on natural resources up to the Committee on Revenue, Finance and Taxation, as recommended by the Coordinating Committee.

Consider at a later meeting special districts, including drainage and levees, although this has been assigned to the Committee on Local and Parochial Government.

#### SUBCOMMITTEE ON NEW ORLEANS

Louisiana Superdome Director, Ben Levy, told the Subcommittee on Affairs of New Orleans that although he does not believe the cost for construction of the Superdome will rise again, he would like to have bond limitations removed from the constitution.

The Subcommittee will recommend to the full Committee on Local and Parochial Government that the Dome Stadium Commission, the Board of Regulation of City Debt of New Orleans and the New Orleans Sewerage and Water Board be removed from the constitution. However, the subcommittee decided to recommend that the authority over which the Vaux Carre Commission was created be retained in the new document.

#### EXECUTIVE COMMITTEE

The Executive Committee approved a budget for submission to the legislature in the upcoming fiscal session. An appropriation of slightly more than \$2.1 million will be submitted to finance the last six months of the convention.

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The budget was based on projections that the convention will be meeting from days a week, with committee in session one additional day a week until the end of December.

The committee went on record as opposing any move in the legislature to authorize travel pay for the delegates to the convention.

#### COMMITTEE ON EXECUTIVE DEPARTMENT

The Committee on the Executive Department decided to reduce the number of state-wide elected officials from the present eleven to five. In addition, the committee took a tentative vote to restructure the executive branch of government by reducing the number of executive branch departments to a maximum of 20, and to give the legislature the first shot at the attempted reorganization.

Retained as elected officials are governor, lieutenant governor, secretary of state, treasurer, and attorney general. The committee agreed to retain the four-year terms for elected officials, and to limit the governor to 2 consecutive terms. No limitation was placed on the number of terms for other elected state officials.

Going down the list of elected state officials one by one the committee agreed to delete as elected officials, comptroller, commissioner of agriculture, register of state lands, custodian of state voting machines, commissioner of insurance, and superintendent of education. The committee expressed the opinion that the last post should be appointed by the State Board of Education.

After discussing the question of reorganization at length, the committee agreed to limit the number of executive departments to a maximum of 20, which includes elected officials. Under the tentative agreement, reorganization of the executive department must originate in the House of Representatives which must submit a plan to the governor in 18 months of the effective date of the new constitution.

In dealing with qualifications for state elected officials the committee agreed to set a minimum age requirement of 25 years and state residency of two years. In addition the attorney general must be an attorney with five years experience.

The committee also agreed on a new line of succession to the governor should he become incapable of fulfilling his duties. The order is: lieutenant governor, secretary of state, attorney general, treasurer, president pro-tem of the senate and speaker of the house.

The committee gave tentative approval to the concept of the governor having the power to remove the department heads he appoints, but not those appointed from a list of nominees, officials named in the constitution as being appointed. The committee agreed to be appointed with the advice and consent of the Senate, except for the major department heads.

It was decided that 20 state agencies and officials do not belong in the constitution. The committee has tentatively decided to recommend to the full Convention that the Military Department, the Banking Department, the Department of Commerce and Industry, some elected officials, the State Fire Marshall, the Board of Health, the Department of Highways, the Liquefied Petroleum Gas Commission, the Louisiana State Museum, the Board of Public Welfare, the Department of Revenue and the Louisiana Stadium and Exposition District be eliminated from the new document.

Committee members voted to propose to the convention that all attorneys employed by the state should be in the attorney general's office, except as otherwise provided by law.

#### JUDICIAL COMMITTEE

Aaron Kohn, director of the New Orleans Metropolitan Crime Commission, called upon the committee to make extensive changes in powers of the state Judicial Commission.

Kohn also suggested:

Extension of the judicial commission's authority to discipline and investigate possible corruption among all employers as well as judges.

Provision of an investigating arm--even state police--to that commission.

Mandatory suspension of judges pending final disposition of charges of felony or corrupt practices.

Publication of the record of the judicial commission's investigation even in instances where the judge or employee is exonerated, perhaps omitting the names of witnesses.

A separate provision of the constitution pertaining to the attorney general providing, perhaps, for his non-partisan election.

Merit career service for department of justice employees.

Authorize district attorneys of parish grand juries to call a state grand jury into being to consider multi-parish and organized crime.

Allow a district court or grand jury to request the attorney general to prosecute a case rather than a district attorney.

In addition the committee heard Attorney General William Guste ask that the attorney general and the district attorneys be put in a separate article for the Department of Justice, and not in the Executive Department or Judiciary articles. Guste also asked the committee to delete the provision requiring five year terms for all assistant attorneys general. Guste recommended the provision be kept only for the first and second assistants.

Geoffrey C. Hazard of the Yale Law School urged adoption of a four-point reform in Louisiana courts as suggested in a soon-to-be-published article of the American Bar Association study of courts nationwide: that the constitution provide for a unified court structure, that it provide for a merit system of appointing judges, that the courts be empowered to promulgate their own rules, and that the constitution provide for creation of an administrative office for the courts.

Dr. Hypolite Landry Jr., of Baton Rouge, president of the Louisiana Coroner's Association, said that coroner's generally were satisfied with the present constitutional provisions for that office.

The committee made some tentative decisions including that the governor no longer be empowered to appoint judges to fill vacancies. The committee voted to recommend that vacancies be filled by the State Supreme Court. The governor must call an election to fill the post within three months and the interim appointment would not be eligible to run for the office.

Delegates agreed to shorten the provision dealing with the judges retirement system, with inclusion of statements allowing judges to start a contributory plan that would provide survivor benefits. Delegates agreed to lower the retirement ages of judges from the present 80 years to 70 years of age.

In case of a judge being found "physically or mentally incapacitated" to perform his duties, the judge would receive two-thirds pay. After some discussion, the committee decided to retain part of the election for judges.

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#### COMMITTEE ON STATE DEPARTMENT OF REVENUE

J. S. Brindley, director of revenue for the state, made a preliminary question, concluding that a bureau of taxation would be a tax exemption for the state, and although his proposal would increase revenue, it would be a burden to the state. He also said that the same benefit which it does under the present law, under the proposal it would pay taxes on a 50 per cent of the amount in 20 years. This would allow local government some revenue to pay for services required by industry.

Gene Crittiss, director of advertising and public information for the Department of Commerce and Industry, spoke in favor of the present ten year exemption. Crittiss did say, however, that complete revision of the state's tax structure would justify the elimination of the exemption.

The committee voted to delete the current \$3.00 license fee from the new document, but later voted to reconsider the proposal at a later meeting.

#### CONVENTION CALENDAR MAY 14-19

Monday:

Committee on Local and Parochial Government at 10 a.m., Conservation Auditorium, Natural Resources Building, to hear testimony from several persons who have requested to testify relative to provisions to be included in an article on local and parochial government.

Committee on Local and Parochial Government at 9 a.m. in subcommittee in Room 302, State Capitol, to hear testimony from several persons who continue the drafting of provisions relating to their respective areas. These include Tulane, City of New Orleans, special districts--fire, portation, ports, and harbors, and special districts--sewerage, water, levee, and other related districts.

Friday:

Subcommittee on the Public Welfare at 9:30 a.m., 9th floor conference room, Department of Education Building, to review proposals prepared by the research staff.

Committee on Bill of Rights and Liberties at 9 a.m., Conservation Auditorium, Natural Resources Building, to discuss proposals for inclusion in the constitution concerning distribution of seats, election, general government and constitutional revisions. Interested

persons are invited to testify orally and to submit written statements (30 copies requested). Following preliminary meetings the committee will draft appropriate sections on the above matters. Sections drafted will be tentative and subject to further hearings and review before final adoption by committee.

**Committee on Legislative Powers and Functions** at 9 a.m. committee room 205, State Capitol, to review proposals tentatively adopted in Categories I, II, and III.

#### Saturday:

**Committee on Bill of Rights and Elections** at 9 a.m. Conservation Auditorium, Natural Resources Building, to continue Friday's agenda. Testimony from the public is again invited.

**Committee on Legislative Powers and Functions** at 8 a.m. committee room 205, State Capitol, to continue review begun Saturday.

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Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

May 21, 1973 No. 11

#### SUBCOMMITTEE ON FINANCE

Committee members approved a draft proposal that would allow local governments to set their own property tax millages with voter approval. The subcommittee of the Local and Parochial Government committee said its proposal would eliminate from the constitution special millages that can be voted such as five mills authorization for general utilities, one mill for firegrounds or four mills maintenance.

The subcommittee decided to maintain the current alimony tax rate at seven mills for cities and four for parishes without public vote.

It was also decided to include a protective clause for existing alimony and special millages, so bonds and other projects financed by them could continue on the terms of the original proposition. The provision would also protect Orleans and Jefferson Parishes whose alimony rates are higher.

In other action the subcommittee decided to limit the amount of indebtedness that local governments can incur. Bonds payable from ad valorem taxes couldn't exceed 10 percent of a political subdivision's assessed valuation.

The subcommittee also accepted three provisions now in the constitution:

Requiring the state to reimburse parishes where penal institutions are located for expenses arising from crimes committed in the institutions or by inmates or employees of the prisons.

Giving citizens the right to contest bond elections within a 60-day period after the votes are promulgated. The clause was expanded to include the City of New Orleans in case the city's board of liquidation is deleted from the constitution.

Directing the legislature to authorize political subdivisions to levy assessments for public improvements.

#### SUBCOMMITTEE ON SPECIAL DISTRICTS

The subcommittee met with representatives of the Jefferson-Orleans Port Commission. Several committee members told the commission to settle their differences over representation or the possibility of being left out of the new constitution. Attorneys for the commission are hopeful to have the problem settled by the next subcommittee meeting May 25 or 26.

#### COMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

Two AFL-CIO officials told the committee it should preserve public employees' right to appeal to the legislature for pay hikes. Gordon Flory, AFL-CIO vice president, and Hugh T. Ward, attorney for the Professional Firefighters Association, said that other alternatives are unworkable because municipalities were unresponsive to requests for income stabilization.

Also at the meeting the general council for the New Orleans Bridge Authority, Louis H. Poter, proposed a method that would allow special districts to create and sell bonds without constitutional barrier. Poter's proposal, which carries an amendment that would allow the sale of bonds for other business transactions if they are authorized by a two-thirds vote of the legislature, included a provision that would protect bonds already sold and other agreements made under the present constitution.

Also speaking at the meeting was Mrs. A. H. Rack, president of the New Orleans League of Women Voters, which favors a broad-based home rule doctrine that would give local governments all powers not prohibited by the constitution general law or their charters.

#### LEGISLATIVE COMMITTEE

The committee decided to discard a lengthy and detailed provision proposed to guarantee reapportionment and substituted much simpler language to accomplish the same aim. The new proposal would require the legislature to reapportion itself by the second year following the completion of each federal census. If it doesn't the state Supreme Court is instructed to draw up its own plan for reapportionment. Under the proposed provision single member districts are not a requirement.

Dealing with legislative sessions, the committee approved a proposal allowing annual sessions of 60 "working days" within a period of 120 calendar days, plus an additional 15 working days within the 120-day period if approved by two-thirds vote of both houses. In other action the committee tentatively agreed to the following concepts:

Provisions for expanding the Senate from the present 39 members to a maximum of 41 members and the House from 105 to a maximum of 111. Authority for each house to punish its own members, including authority to expel members of the House and Senate;

Subpoena power for legislative investigations and authority to punish for contempt;

Election of the Speaker of the House and the President of the Senate;

Privilege against arrest, except for felony crimes, of legislators while they are in session and committee meetings, and privilege on debate during sessions;

A separate code of ethics for the legislature, based on the premise that any "effort to realize private gain through official conduct is a violation of public trust."

Tentatively deleted from the constitution is legislative power to abolish or merge certain state offices and agencies, whether or not they are constitutional in nature.

The committee voted in favor of tougher rules for raising the salaries of public officials, and in favor of broadening provisions for impeachment of public officials.

A review of the draft, but the committee will return in June to hear comments from legislators and to decide whether the legislature needs a provision allowing it to address public officials out of office.

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#### COMMITTEE ON BILL OF RIGHTS

Ross Banister, attorney for the Louisiana Highway Department, urged the committee to retain the present section on expropriation of private property. He said the phrase "just compensation" protection for private property by the state for public purposes has been interpreted by the courts and objected to the tentatively proposed section calling for "the full extent of the loss" saying it would take years of litigation for the courts to interpret.

Banister was joined in his objections by Jack Cousin of New Iberia representing Central Louisiana Electric Co. and Burt M. Sperry of Monroe spokesman for the pipeline companies.

Baton Rouge city-parish attorney Joseph Keogh opposed another tentatively approved section calling for the expanded jury trial provision. Keogh said he would like for parishes and municipalities to have a "quick take" authority under which property can be taken for public use with the price to be determined later by the courts.

Ben Shieber, LSU constitutional law professor, told the committee that in certain limited instances there is a need for electronic surveillance. However, he noted that it should be done only after a show of probable cause and issuance of a judicial order. The committee received the following sentence from the article: "No person shall permit the interception of any private communication or message."

The committee approved the following provision:

"No person 18 years of age or older who is a resident or domiciliary of the state shall be denied the right to vote except that this right may be suspended while a person is interdicted or under an order of imprisonment for conviction of a felony."

#### CONVENTION CALENDAR

May 21-26

- Monday: Committee on Public Information at 10:00 a.m., Mineral Board Hearing Room Auditorium, Natural Resources Building to consider the following agenda:
1. Report of the subcommittee concerning utilization of LA Hospital TV Network.
  2. Presentation by commercial television and radio as to coverage of convention.
  3. Consideration of regional meetings throughout the state, open to the public, to inform on what's going on in the convention.
  4. Coordination with Education Department on feasibility of providing information on convention for use in public schools as teaching aids.
  5. Report from committee staff on work of staff to date.



**Subcommittee on Elementary and Secondary Education** at 4:00 p.m., LSA Building, to review the proposals for Elementary and Secondary education.

**Wednesday:** **Subcommittee on Higher Education** at 10:00 a.m., Department of Education Building, Eighth Floor Conference Room, to consider language and recommended changes in the subcommittee higher education proposal and to consider constitutional provisions relating to higher education not previously considered by the subcommittee.

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**Friday:** **Subcommittee on the Public Health** at 9:30 a.m., Department of Education Building, Ninth Floor Conference Room, to review proposals prepared by the research staff.

**Committee on the Judiciary** at 9:30 a.m., Room 306 of the LSU Law School, to hear Mr. Joseph W. Joachim, Executive Vice President and General Counsel of the City Marshall's and City Constable's Association and Representative of Community Actions for Corrections, New Orleans chapter, speak on the provisions relating to the Judiciary Department. The committee will continue to take votes on preliminary proposals.

**Committee on Revenue, Finance and Taxation** at 10:00 a.m., Room 205, State Capitol. The committee will meet in room 205 and then separate into subcommittees, one of which will move into room 206. Both will discuss proposals.

**Subcommittees on Drafting General Provisions for Local and Parochial Government and Local Finance** at 2:00 p.m., Second Floor Board Room, Baton Rouge Savings and Loan, to consider draft proposals relating to assigned subject matter.

**Subcommittee on Special Districts: Transportation, Ports, and Harbors** at 10:00 a.m., Senate Lounge, State Capitol, to consider and take action on the Ports of New Orleans, Baton Rouge, Lake Charles, and the Sabine River Authority.

**Saturday:** **Committee on the Judiciary** at 9:30 a.m., Room 306 of the LSU Law School, to hear Judge William N. Banks, Division B, City Court of Baton Rouge, speak concerning provisions relating to the Judiciary Department. At 11:00, Justice Frank W. Hawthorne, retired Justice of the Louisiana Supreme Court, will discuss his ideas concerning the Judiciary Department. The committee will continue taking votes on preliminary drafts.

**Committee on Revenue, Finance and Taxation** at 9:00 a.m., Room 205, State Capitol, to take a final vote on the \$1.00 license plate and to discuss the subcommittee proposals.

**Subcommittees on Drafting General Provisions for Local and Parochial Government and Local Finance** at 9:00 a.m., Second Floor Board Room, Baton Rouge Savings and Loan, to consider draft proposals relating to assigned subject matter.

**Subcommittee on Special Districts: Transportation, Ports, and Harbors** at 9:30 a.m., to continue Friday's meeting.

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# REPORTER

NEW ORLEANS, LA.  
A INFORMATION COMMITTEE

May 26, 1973, No. 14

## COMMITTEE ON PUBLIC INFORMATION

A series of public meetings throughout the state to discuss the proposed new state constitution was scheduled by the Public Information Committee of OC 73. The meetings will be held between June 23 and July 5 at 26 locations throughout the state.

Drafts of committee proposals should be ready by that date and will be disseminated throughout the state by the committee. Committee chairman, Patrick J. Jones, Jr., Lafayette, said the constitution was planned to "get to the state roots level" and have meetings in cities which have not had previous meetings.

Meetings have been scheduled for New Iberia, Bogalusa, Houma, Thibodaux, Morgan City, Crowley, Opelousas, Sulphur, Ithaca, Gretna, Metairie, Chalmette, Hammond, Lake Charles, Lake St. Charles, Bayou Lafourche, Mandeville, Bossier City, Bastrop, Winnfield, New Orleans, Baker, Zachary, Natchitoches and Winnburg.

Under the proposed formal meetings will be held in the local arena with ad hoc panels composed of local delegates.

The committee is composed of a steering committee led by Mr. Patrick J. Jones, Jr. of the Lafayette Journal-Courier. At the same time, the committee of education officials on the committee. Jones said the committee had received support from the federal government and was working on the issue of securing matching funds from the state.

## SUBCOMMITTEE ON HIGHER EDUCATION

The Subcommittee made some word changes in that it would be on higher education and eliminated some controversial language.

Among the changes was the substitution of the word "higher" for "postsecondary" in the definition of the word "higher education." The report also included language relating to the state's role in higher education for public higher education.

Subcommittee members felt this change in wording would be more in line with the language used by the LSU Board of Supervisors and the Board of State Officers and Universities, which is already in place.

Under the proposal each of the three boards will consist of two members from each non-public district plus one member-at-large.

## SUBCOMMITTEE ON ELEMENTARY AND SECONDARY EDUCATION

The subcommittee finished its proposals and prepared for a joint meeting with the subcommittee on higher education. The panel is scheduled to discuss the issue of public funds for private and non-public schools, but added an exception for federal funds supplied the state for non-public education.

The group also completed the wording on the public schools employees' retirement fund. As previously discussed it would protect each member's equity in the system and contributions to the system and would guarantee benefits as provided by law.

On a previous meeting with the State Board of Education, an attempt was made to amend the constitution, local education and school finance laws to be adopted with minor word changes.

## JUDICIAL PROVISIONS

The committee decided to retain in the constitution provisions for a judicial commission, but with a change in the name. The judicial commission is composed of one circuit court judge, one district judge appointed by the state supreme court, two members of the Louisiana State Bar Association, one member by the association's board of governors, and one citizen appointed by the Judicial Council.

Under the new proposal the member who would consist of one appellate court judge and two district judges to be appointed by the state supreme court. The judicial commission is appointed by the Judicial Council Association and three citizens to be appointed by the District Judges Association.

The draft of the commission would be to make a recommendation to the state supreme court on an application to be taken from judges of the quality of the judicial system. The commission's recommendation to the state supreme court may be made, and with it without any more from the state supreme court. The judicial commission will be able to make recommendations to the state supreme court on an application to be taken from judges of the quality of the judicial system. The judicial commission will be able to make recommendations to the state supreme court on an application to be taken from judges of the quality of the judicial system.

The committee also decided to require each judge, part of appeal and district judge, must have been admitted to practice law at least five years prior to their election and must also reside in the district for one year prior to their election.

The committee also decided to require each judge, executive vice president of the judicial commission, and the judicial commission, who would be the judicialization of the terms of office and procedure for city, county and constables and for an "adjustment" of their jurisdictions.

A group representing the New Orleans chapter of Community Action for Corrections and Public Safety is also included.

Deletion of special provisions to the election of a criminal sheriff is also included in that the sheriff can be turned over to a local government.

Reduction of the number of judges in the criminal district court in Orleans Parish is also included.

Establishment of a judicial council to appoint persons to fill the vacancies in the judicial system within a period within one year of election.

Establishment of a judicial professional panel board with full authority to remove judges from office.

The committee also decided to give the judicial council the right to vote, or persons who would be the judicialization of the terms of office and procedure for city, county and constables and for an "adjustment" of their jurisdictions.

Further state legislation on July 1st, Patrick W. Hawthorne of Bastrop, asked for a public information bureau to return criminal records to the public. He proposed a public information bureau to return criminal records to the public. He proposed a public information bureau to return criminal records to the public. He proposed a public information bureau to return criminal records to the public.

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He also proposed a public information bureau to return criminal records to the public. He proposed a public information bureau to return criminal records to the public. He proposed a public information bureau to return criminal records to the public.

tentative Committee. It is in that spirit that I am not only one channel of a two-third vote of the Legislature and a majority vote of the citizens involved.

In other action the committee tentatively agreed to weaken the power of state officials to upgrade district attorneys and sheriffs of individual parishes during conflict over law enforcement.

The committee also approved a proposed section which retains the civil and criminal sheriffs in New Orleans and provides, by change must be approved by a majority of the Legislature and of the Orleans citizens at the polls.

#### SUBCOMMITTEE ON REALITY

The subcommittee of the committee on Local and Parochial Government presently delivered 21 governing bills, rather than the governor, made a proposal to vacate parish and municipal law enforcement offices. The appropriate powers will include sheriff, district, clerk of court and assistant district attorneys were not included in some areas their districts cross parish lines.

The subcommittee instructed the research staff to study the relationship between municipal and parochial law enforcement. The staff will be working on the municipal and parochial law enforcement in other states with new constitution, such as Illinois and Montana, is to be studied.

#### CONVENTION CALENDAR

Monday, Subcommittee on Legislative and Executive Organization

Highway Education at 10:00 a.m. in the East Baton Rouge Parish School Board, Inactive 17000000. Center to discuss proposals from the two committees.

Thursday, Subcommittee on Parochial Government at 10:00 a.m. in Room 210, State Capitol, to set up legislation and schedule of delegates for regional districts.

Friday, Committee on Legislative and Executive Organization at 10:00 a.m. in the East Baton Rouge Parish School Board, Inactive 17000000. Center to discuss district attorney, clerk and retirement.

Committee on Local and Parochial Government at 10:00 a.m. in the Conservation Auditorium, Natural Resources Building, to receive and consider reports from the subcommittees.

Subcommittee on Various Elected Officials and Executive Boards and Commissions at 9:00 in the Education Building, Room 410A, to discuss drafting of provisions relative to assigned subject matter.

Subcommittee Drafting General Provisions for Local and Parochial Government at 8:00 a.m. in the Conservation Auditorium, Natural Resources Building, to consider final drafts to be submitted to the full committee.

Committee on Legislative Powers and Functions at 9:00 a.m. in Committee Room 205, State Capitol, to review the Second Preliminary Draft of the Legislative Article.

Saturday, Committee on Local and Parochial Government at 9:00 a.m. in the Conservation Auditorium, Natural Resources Building to continue Friday's meeting.

Subcommittee on Various Elected Officials and Executive Boards and Commissions at 9:00 a.m. in the Education Building, Room 410A, to continue Friday's meeting.

Committee on Legislative Powers and Functions at 8:00 a.m. in Committee Room 205, State Capitol, to continue Friday's meeting.

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#### CONSTITUTIONAL CONVENTION Actual Expenditures April 30, 1968

	<u>Parish</u> <u>Expenditures</u>	<u>Local</u> <u>Expenditures</u>	<u>Total</u> <u>Expenditures</u>
<b>General Convention:</b>			
Clerk - Salary	2,500.00	00.00	2,500.00
Finance - Salary	800.00	00.00	800.00
Office Supplies	585.00	00.00	585.00
Printing	125.00	00.00	125.00
Delegate Per Diem	37,450.00	00.00	37,450.00
Meeting Expense	30,975.00	2,335.00	33,310.00
Tel & Tel	00.00	00.00	00.00
Postage	13.00	00.00	13.00
	<u>52,743.00</u>	<u>2,335.00</u>	<u>55,078.00</u>
<b>Executive Committee:</b>			
Staff Travel	00.00	20.00	20.00
Delegate Per Diem	5,400.00	2,335.00	7,735.00
Meeting Expense	<u>1,341.00</u>	<u>2,060.00</u>	<u>3,401.00</u>
	<u>6,741.00</u>	<u>2,355.00</u>	<u>9,096.00</u>
<b>Committee on Committee:</b>			
Delegate Per Diem	1,750.00	00.00	1,750.00
Meeting Expense	<u>190.00</u>	<u>00.00</u>	<u>190.00</u>
	<u>1,940.00</u>	<u>00.00</u>	<u>1,940.00</u>

<b>Poles Committee:</b>			
Delegate Per Diem	2,400.00	-0-	2,400.00
Meeting Expense	<u>240.00</u>	-0-	<u>240.00</u>
	2,640.00		2,640.00
<b>Composite Committee:</b>			
Delegate Per Diem	5,000.00	-0-	5,000.00
<b>Research Staff:</b>			
Salaries	21,391.24	16,351.14	57,411.44
Equipment Rental	1,318.53	-0-	1,318.53
Office Supplies	1,616.74	-0-	1,616.74
Employee's Share Retirement	-0-	1,655.00	1,655.00
Employee's Share Insurance	261.00	-0-	261.00
Postage	<u>922.00</u>	<u>405.00</u>	<u>1,327.00</u>
	25,509.51	18,411.14	43,920.65
<b>P 1 Committee</b>			
			1,000.00
<b>P 2 Committee:</b>			
Delegate Per Diem	400.00	-0-	400.00
Meeting Expense	<u>720.00</u>	-0-	<u>720.00</u>
	1,120.00		1,120.00
<b>P 3 Committee</b>			
			850.00
<b>P 4 Committee:</b>			
Salary	830.76	876.92	1,707.68
Printing	13.50	-0-	13.50
Delegate Per Diem	350.00	150.00	500.00
Meeting Expense	<u>30.00</u>	-0-	<u>30.00</u>
	1,224.26	1,026.92	2,251.18

(2)

Page 2 - Expenditures by Committee 4/30/73

<b>S 1 Committee:</b>			
Delegate Per Diem	-0-	850.00	850.00
<b>S 2 Committee:</b>			
Delegate Per Diem	-0-	2,100.00	2,100.00
<b>S 3 Committee:</b>			
Delegate Per Diem	-0-	1,650.00	1,650.00
Meeting Expense	<u>16.33</u>	-0-	<u>16.33</u>
	16.33	1,650.00	1,666.33
<b>S 4 Committee:</b>			
Delegate Per Diem	700.00	4,150.00	4,850.00
Meeting Expense	34.24	-0-	34.24
Staff Travel	-0-	66.56	66.56
	734.24	4,216.56	4,950.80
<b>S 5 Committee:</b>			
Delegate Per Diem	900.00	3,400.00	4,300.00
Meeting Expense	30.00	-0-	30.00
Staff Travel	-0-	39.34	39.34
	930.00	3,439.34	4,369.34

S 6 Committee:			
Staff Travel	-0-	116.66	116.66
Delegate Per Diem	-0-	4,450.00	4,450.00
		<u>4,566.66</u>	<u>4,566.66</u>
S 7 Committee:			
Delegate Per Diem	-0-	2,950.00	2,950.00
S 8 Committee:			
Delegate Per Diem	-0-	1,900.00	1,900.00
		<u>                    </u>	<u>                    </u>
TOTALS:		133,658.25	67,452.32
			201,110.57

(3)

STATE OF CALIFORNIA  
LEGISLATIVE COUNSEL

Estimated Budget	Initial	Expenditures	Amend.	Outstanding Obligations	Total Exp. & Indeb.	Balance
<b>Salaries:</b>						
Research	27,991.86	36,132.11		13,421.75	71,025.74	
Asst. Clerk	4,856.63	403.21			3,453.42	
Finance	600.00	316.84			1,839.10	
Public Information	27,711.68	38,731.77		13,521.75	79,965.20	
<b>Employer's Share Fringe Benefits:</b>	534.35	1,487.64		4,439.56	4,529.12	
<b>Staff Travel</b>	544.35	2,000.00		7,689.58	5,055.74	
Per diem	69,400.00	22,500.00		24,500.00	116,800.00	
Other Meeting Expense	32,763.49	3,301.52		318.63	37,266.63	
	102,968.48	26,201.52		24,818.63	154,366.63	
<b>Other Expense:</b>						
Equipment Rental	1,318.70			1,877.32	2,896.02	
Printing & Office Supplies	2,409.78			2,445.33	4,855.11	
Postage	962.83	499.82		132.71	1,595.36	
Tel & Tel	94.20			825.00	919.20	
LSU Renovation - Law Building				11,799.00	11,799.00	
Moving of Research Staff to LSU		499.82		250.00	250.00	
	4,785.51			17,029.36	22,314.69	
<b>GRAND TOTALS:</b>	8350,000.00	133,658.22	67,452.32	58,059.32	259,169.86	90,890.14
<b>NOTE: Board of Liquidation</b>	90,000.00					90,000.00
<b>Approved &amp; will be appropriated</b>	3440,000.00					180,890.14
<b>May 14.</b>						

(4)

Estimated Expenditures, April, May, June, 1973

Estimated Expenditures, April, May, June, 1973

	<u>April</u>	<u>May</u>	<u>June</u>	<u>Total</u>
Sales (Staff Only)	44,000.00	44,000.00	44,000.00	132,000.00
Employee's Contribution	3,500.00	3,500.00	3,500.00	10,500.00
Delegates Per Diem	25,900.00	25,000.00	25,000.00	75,900.00
Other Meeting Expenses	3,500.00	3,500.00	3,500.00	10,500.00
OTHER EXPENSES:				
Equipment Rental	1,000.00	1,000.00	1,000.00	3,000.00
Printing	400.00	400.00	400.00	1,200.00
Office Supplies	800.00	800.00	800.00	2,400.00
Postage	500.00	500.00	500.00	1,500.00
Tel & Tel - 1st bill 2/25 - 3/25	825.00	900.00	1,850.00	3,575.00
Move to LSU	250.00			250.00
Renovation of Law Building LSU	12,000.00			12,000.00
				<u>\$254,325.00</u>

Balance at end of March 31, 1973 - \$171,038.48

Board of Liquidation Appropriation 90,000.00

Total estimated funds available \$261,038.48

Less estimated expenditures 254,325.00

\$ 6,758.48

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# STATE OF TEXAS

Public Fund # 102

July 1, 1979 thru January 31, 1980

Expense	July	August	September	October	November	December	Total
<b>Salaries:</b>							
Research Director & Staff	55,000.00	55,000.00	55,000.00	55,000.00	55,000.00	60,000.00	330,000.00
Clerk's Staff - 26 members	22,000.00	22,000.00	22,000.00	22,000.00	22,000.00	22,000.00	132,000.00
Treasurer's Staff - 2 members	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,500.00	7,500.00
Public Information Director & Staff	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	18,000.00
Other	1,000.00	2,000.00	1,000.00	1,000.00	1,000.00	1,000.00	6,000.00
<b>Total Salaries:</b>	<b>77,000.00</b>	<b>75,000.00</b>	<b>61,000.00</b>	<b>61,000.00</b>	<b>61,000.00</b>	<b>87,500.00</b>	<b>493,500.00</b>
Employer's Share of Fringe Benefits	7,710.00	7,510.00	8,110.00	8,310.00	8,550.00	8,750.00	49,340.00
Staff Travel	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	12,000.00
Delegates Per Diem	136,850.00	136,850.00	137,650.00	137,650.00	144,100.00	144,100.00	837,200.00
Other Meeting Expense	36,720.00	36,720.00	36,850.00	36,865.00	38,735.00	38,735.00	221,640.00
<b>Other Expenses:</b>							
Equipment Rental - Div. of Adm.	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	12,000.00
Equipment Rental - Xerox, MTST, Others	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	60,000.00
Printing & Office Supplies	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	19,000.00
Postage	500.00	500.00	500.00	500.00	500.00	500.00	3,000.00
Telephone & Telegraph	1,600.00	1,600.00	1,600.00	1,600.00	1,600.00	1,600.00	9,600.00
Daily Journal	80,000.00	80,000.00	80,000.00	80,000.00	80,000.00	80,000.00	480,000.00
Electronic Voting System	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,500.00	22,000.00
White House Inn - Alterations							?
Sound & Recording Equipment Operation							?
<b>Contingencies</b>	<b>15,000.00</b>	<b>15,000.00</b>	<b>15,000.00</b>	<b>15,000.00</b>	<b>15,000.00</b>	<b>15,000.00</b>	<b>90,000.00</b>

Total Expense:

\$2,311,180.00

NOTE: THE 1980 BUDGET MAY VARY AFTER THE 1980 BUDGET CALL

CONSTITUTIONAL CONVENTION 1973  
Budget Request for  
July 1, 1973 thru January 4, 1974

<u>Life Line Expense</u>		<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>	<u>Total</u>
<u>Convention Meetings:</u>								
129 Delegates @ \$50 ea.	Per Meeting \$6,200.00	109,450.00	140,850.00	109,450.00	109,650.00	116,100.00	116,100.00	670,800.00
16 Delegates @ \$50 ea.	206.00	17,200.00	27,200.00	28,000.00	28,000.00	28,000.00	28,000.00	165,400.00
<u>Total Per Diem</u>		146,650.00	168,050.00	137,450.00	137,650.00	144,100.00	144,100.00	837,200.00
<u>Other Meeting Expense</u>								
<u>Convention Meetings:</u>								
1 Sgt. at Arms @ \$50	50.00							
13 Asst. Sgt. At Arms @ \$30	390.00							
12 Pages or Messengers @ \$15	180.00							
Rental Meeting Rooms	250.00							
Contingencies	1,000.00							
	\$1,870.00	31,790.00	31,790.00	31,790.00	31,790.00	33,660.00	33,660.00	194,480.00
<u>Committee Meetings:</u>								
1 Asst. Sgt. at Arms @ \$30	30.00							
1 Page or Messenger @ \$15	15.00							
Contingencies	100.00							
	\$145.00	4,930.00	4,930.00	5,075.00	5,075.00	5,075.00	5,075.00	30,160.00
<u>Total Other Meetings</u>		36,720.00	36,720.00	36,865.00	36,865.00	38,735.00	38,735.00	224,640.00
<u>Estimated number of meetings per month:</u>								
Convention meetings		17	17	17	17	18	18	104
Committee meetings		34	34	35	35	35	35	208





# REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

June 4, 1973 No. 13

## SUBCOMMITTEE ON REGIONAL MEETINGS

The subcommittee decided to hold meetings in 27 localities during the week of June 25-29. Chairmen for the various hearings were appointed and delegates assigned to local panels. (See attached list for dates, locations and panel membership.) The time for individual meetings and format will be decided by the respective chairmen. Delegates are urged to attend as many meetings in their areas as possible. The meetings will be unofficial and no set diet will be drawn.

## COMMITTEE ON EDUCATION AND HELPERS

The committee voted to make no reference against using public funds for private education and voted to have an elected state superintendent of education rather than an appointed one.

## LEGISLATIVE COMMITTEE

The committee adopted a provision that the legislature "shall pass no special or local act when a general act is or can be made applicable."

No specific date was placed in the Constitution for calling the legislature into session. Rather it was decided to allow the legislature to set its own date.

The committee amended its section on reappointment. Last month it decided to require the legislature to reappoint itself "the first day of the first year following the year in which the population of the state is reported" in the federal census. The state superintendent is directed to draw up its own plan if the legislature failed to act. It amended the provision provides that the attorney general "shall" amend the Supreme Court action and places a time limit within which the attorney general must act.

The committee proposal allows the legislature to "veto or rescind" 29 days following the adjournment of the legislature if a majority of both houses vote for such a session by a mail ballot. The session could not last more than five days.

The committee changed the length of time which the governor has to veto a bill from only ten days to fifteen days. Under the present proposal the governor would be allowed ten days to veto during a session, and 20 days after the session.

The section on impeachment prescribes automatic suspension while the impeachment proceedings are being conducted for any official involved in the government or lieutenant governor. The governor would not appoint to fill the vacancy during the impeachment proceedings. Deleted from the section were two causes for impeachment: "under the law" and "high crimes and misdemeanors in office." Also deleted from the proposal is the provision for "addressing out of office." The committee's report also provides that the governor "shall" be published as provided by law in the official state journal and will take effect 60 days after adjournment of a session.

1

The committee completed its draft, which will be presented to the full convention, and also made plans to have another meeting if legislators so request to discuss the article.

## JUDICIAL COMMITTEE

The line of succession for four elected officials was approved by the committee. Under the proposals the first assistant would replace the district attorney, the chief criminal deputy would take over for the sheriff, and the chief deputies for a clerk of court and coroner. These would be interim appointments until an election can be held. If the interim chief assistant in a position which became vacant, the local governing authority would make the temporary appointment. Committee members set basically the same qualifications for clerks of district courts as in the present constitution. The legislature would also be directed to set statewide uniform office hours for all clerks of courts.

Another proposal given temporary approval would provide that no salary or retirement decreases during the terms of office of the attorney general, district attorney, sheriff or clerk of court could be made. Other proposals given tentative approval were:

District attorneys must have five years of experience prior to their election and live in their district a minimum of two years.

Providing for "a grand jury or juries in each parish of the state, whose duties, qualifications and responsibilities shall be provided for by law. The legislature shall further provide for the secrecy of the proceedings, including the identity of witnesses appearing before a grand jury."

Making women subject to jury duty. The article on jury duty reads, "A citizen of the state, upon reaching the age of majority shall be eligible for survey as a jury. The Supreme Court by rule shall provide the selection and drawing of jurors for the trial of civil and criminal cases." Under this proposal the legislature would no longer have authority to make exemptions to jury duty.

All court proceedings shall be recorded verbatim in upon request.

Subject to the Coordinating Committee's approval from the Model State Constitution be used in dealing with the problem of special legislation and that certain subjects on which special legislation is forbidden in the present constitution to be included in the new constitution.

## COMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

Committee members tentatively approved a provision giving governing authorities power over agencies they create. Besides those powers which are granted by the legislature, the local bodies would have the authority to appoint and remove members of the agencies' governing bodies, to exercise budgetary and fiscal controls, abolish the agencies' governing bodies and abolish the agency if the obligations or indebtedness of the agency would not be impaired.

In other sections tentatively approved by the committee:

Political subdivisions are permitted to enact land use and zoning ordinances.

Political subdivisions are allowed to assist industry, subject to restrictions imposed by the legislature.

The legislature is empowered to create special districts, boards and agencies to perform functions and duties of political subdivisions, and to grant rights and privileges to those special bodies.

2

The legislature by general law shall provide for recall of state, district, parish, municipal or ward officers, except judges of courts of record except as provided elsewhere in the constitution.

Parish seats may be changed in the following manner: on petition of 25 per cent of electors, certified by the registrar of voters, the local governing authority would call an election on the issue, with two-thirds vote required for passage.

Changes in parish boundary lines would require two-thirds vote in each parish affected.

## REGIONAL MEETINGS

ABBEVILLE: June 28, 1973

Chairman, H. G. Hardee, Patrick Junesau, Meloise Corne

BAKER: June 27, 1973

Chairman, Gary O'Neill, Harvey Cannon, J. K. Naynes, Norace Robinson, Woody Jenkins, Richard Kilbourne, Pete Heine

BASTROP: June 27, 1973

Chairman, David Ginn, R. M. Elkins, J. A. McDaniel

BOCALISA: June 26, 1973

Chairman, B. B. Rayburn, Alvin Singletary, Joseph Anzalone, James Burns, Frank Edwards

BOSSIER: June 27, 1973

Chairman, Alphonse Jackson, Ford Stinson, "Buddy" Roemer, V. C. Shannon

BUNKIE: June 28, 1973

Chairman, Chris Roy, Camille Gravel, Robert Munson, Lynn Perkins, Charles Slay, Cecil Blair

CHALMETTE: June 28, 1973

Chairman, Chalin Perez, Samuel Nunez, Elmer Tasper

CROWLEY: June 26, 1973

Chairman, Ralph Cowen, E. J. Chateau, Ruth Miller

DE RIDDER: June 28, 1973

Chairman, J. E. Stephenson, Errol Deshotel, Greg Arnette, Pat Hernandez

GRETTA: June 26, 1973

Chairman, Kenneth Leithman, John Alario, Joseph Toomy, Frank Ullo, Wendell Gauthier

HAMMOCK: June 27, 1973

Chairman, Autley Newton, Calvin Fayard, Louis Lambert

HOUMA: June 26, 1973

Chairman, Stanwood Duval, Charles Badeaux, Nilda Brien, Donald Bollinger

METairie: June 27, 1973

Chairman, Harold Toca, Lawrence Cheahady, Joseph Conno, David Conroy, Edward D'Gerolamo, Eual Landry

MINDEN: June 26, 1973

Chairman, Harmon Dew, Tom Stagg, Welborn Jack, Frank Fulco

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MORGAN CITY: June 27, 1973

Chairman, Anthony Guarrisco, Norman Carmouche, P. D. Winchester

NATCHITOCHES: June 28, 1973

Chairman, Donald Kelly, Terry Reeves, Emmett Assoff

NEW Iberia: June 26, 1973

Chairman, Terry Secura, Ninos Armentor, J. Burton Willis

NEW ORLEANS

ALGIER: June 25, 1973

Chairman, Earl Schmitt, Matthew Sutherland

## CONVENTION CALENDAR

June 3-9

### Thursday: Subcommittee on Various Elected Officials and

Executive Boards and Commissions at 9:00 a.m. in Room 301, LSU Law School, to discuss drafting of provisions relative to assigned subject matter.

### Friday: Subcommittee on Various Elected Officials and

Executive Boards and Commissions at 9:00 a.m. in Room 301, LSU Law School, to continue Thursday's meeting.

### Subcommittee on the Public Welfare at 10:00 a.m.

in the 9th Floor Conference Room, Department of Education Building, to review proposals prepared by the research staff.

### Committee on Bill of Rights and Elections at

10:00 a.m. in the Conservation Auditorium, Natural Resources Building. The subject matter of the meeting will be constitutional revision and general government provisions including initiative, referendum and miscellaneous provisions. The committee will draft appropriate sections on the above matter and will review its past action on rights, distribution of powers and elections. Sections drafted will be tentative and subject to further hearings and review before final adoption by the committee.

### Saturday: Committee on Bill of Rights and Elections at 9:00

a.m. in the Conservation Auditorium, Natural Resources Building, to continue Friday's meeting.



# REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

June 11, 1973 No. 14

## REGIONAL MEETINGS

Arrangements are being made for the regional meetings to be held throughout the state during the week of June 25-29. Meetings are being planned for 27 areas with an additional six to be held in New Orleans. The purpose of the meetings will be to advise citizens of the work of the committees and to solicit their views on the committee proposals. Appointments to the various panels were published in last week's Reporter. Delegates are urged to attend as many meetings in their area as possible. The meetings are unofficial and no per diem will be paid.

## COMMITTEE ON JUDICIARY

The committee tentatively adopted a new judicial retirement provision that would eventually eliminate retirement at full pay and the noncontributory aspects of the present system. The proposal would also shorten the service requirements for judges to become eligible for benefits and would provide benefits for surviving minor children.

## The retirement proposal:

Permits judges in office at the time the new constitution is adopted to continue to fall under the provisions of the present constitution if they so choose.

Mandates the legislature to provide a retirement system to apply to judges taking office after the effective date of a retirement statute passed by the legislature. Judges in office at the time of the adopted statute may elect to join this system.

Provides that judges who take office after the adoption of the new constitution, but before the time of the legislature's action, be covered by a contributory plan. Judges covered by the present constitution would be given the option of joining this plan.

The new provision would set a mandatory retirement age of 70 years for judges. The contributory retirement plan would permit a judge to retire after 16 years of service. A judge with 12 years of service would be eligible for retirement benefits at age 60. The benefits would be based on the number of years served, but the maximum would be 75 per cent of his average salary for his three highest paid years.

Retirement benefits for physically and mentally incapacitated judges would be one-third of the annual salary with provisions for graduating the benefits depending on years of service. Survivors benefits for spouses and unmarried children under 18 are also provided.

## SUBCOMMITTEE ON WELFARE

The subcommittee passed proposals which would allow Civil Service employees the right to collective bargaining and then allow them to campaign for taxes to implement any increases. The provision does not permit strikes.

## In other action the committee tentatively agreed:

That Civil Service workers cannot campaign for or donate to any candidates campaign, nor can they seek public office. They can support bond issues, taxes, referendums, constitutional amendments or participate in organizations that are not political but do occasionally express opinions on political issues.

That the Civil Service Commission can grant a "suspensive appeal" to allow an employee who would be suspended for a violation of Civil Service Rules to remain on the job until the commission can hear his case.

That any matter affecting wages or hours of work would be effective and have the force of law only when the governing body approves it.

Any employee moved up from one classification to another, for whatever reason, would receive the pay of the higher classification.

Preferences given to veterans would be continued for original appointment, but not for promotions.

## COMMITTEE ON REVENUE, FINANCE AND TAXATION

The committee agreed that farm implements, livestock, household property, public property and religious, charitable and educational property should remain exempt from property taxes. In addition shrimp and fishing boats would also be exempted.

The committee will recommend to the full convention that the \$3 license tax be included in the new document.

## SUBCOMMITTEE ON VARIOUS ELECTED OFFICIALS

The subcommittee approved in concept a proposal to eliminate most dual office holding in the state. Officials would be allowed to serve on interim or temporary, non-policy making commissions for no more than six months.

While discussing governance of ethics for state officials and employees, committee members agreed generally on providing one or more boards to govern state employees and elected officials to make sure they would receive no remuneration beyond that provided by law and to ensure that they are independent and impartial. The ethics boards would have the power to investigate, hold hearings, submit recommendations and make public findings of violations.

In connection with other state elected officials, the subcommittee agrees to release the Lieutenant Governor from presiding over the Senate. The attorney general is to head the justice department and all state officials would be part of the attorney general's office unless otherwise specified by statute.

A proposal was adopted to increase the membership of the Public Service Commission from three to five members. The five members would serve staggered six year terms.

Another section concerning the Commission provides that "the commission shall have the power to regulate all common carriers and other public utilities, adopt and enforce rules, regulations and other procedures for the discharge of its duties, and perform such other functions as provided by law.

Also approved was a provision that "the commission shall have no power to regulate any utility operated by a municipality or any utility under authority except by consent of a majority voting in an election called by the governing authority for that purpose."

#### CONVENTION CALENDAR

June 10-16

- Sunday:** Subcommittee No. 1 of the Executive Department at 1:00 p.m. in Room 301, LSU Law School.
- Monday:** Subcommittee No. 1 of the Executive Department at 9:00 a.m. in Room 301, LSU Law School.
- Wednesday:** Committee on Education and Welfare at 10:00 a.m. in the East Baton Rouge Parish School Board to discuss proposals of the Public Welfare Subcommittee and discuss minority reports.
- Subcommittee on Public Finance at 9:00 a.m. in the LSU Law Center, to review proposals prepared by the staff.
- Thursday:** Committee on Bill of Rights and Elections at 10:00 a.m. in Room 3, State Capitol. The subject matter of the meeting will be constitutional revision and general government provisions including initiative, referendum and miscellaneous provisions. The committee will discuss approximately 8-10 items on the above matter and will review its past action on rights, distribution of powers and elections. Sections drafted will be tentative and subject to further hearings and review before final adoption by the committee.
- Committee on Style and Drafting at 6:00 until 9:30 p.m. in Committee Room 5, State Capitol. The committee will review for: (1) Discussions of operations of the committee during the convention, including consideration of proposals submitted to the convention which it meets; (2) Any revision of the manual on Style and Drafting suggested by the staff and others; (3) Any other matters to come before the committee.
- Subcommittee on Drafting General Provisions for Local and Parishal Governments at 2:00 p.m. in Committee Room 301, State Capitol, to consider and draft provisions relating to assigned subject matter.
- Subcommittee for Local Finance at 2:00 p.m. in Committee Room 5, State Capitol, to consider and draft provisions relating to assigned subject matter.
- Committee on Revenue, Finance and Taxation at 10:00 a.m. in the Budget Committee Room, State Capitol, for a continuation of committee consideration on taxes and related matters and to discuss any other matters to come before the committee.
- Committee on the Executive Department at 9:00 a.m. in Room 306, LSU Law School to consider and draft proposals and reports from the various subcommittees.
- Friday:** Committee on the Executive Department at 9:00 a.m. in Room 306, LSU Law School, to consider and draft proposals and reports from the various subcommittees.
- Subcommittee on Special Districts, Transportation, Port and Harbors at 10:00 a.m. in Committee Room 5, State Capitol, to consider and draft proposals relating to assigned subject matter.
- Subcommittee on Local and Parishal Government at 10:00 a.m. in the Conservation Auditorium, Natural Resources Building, to take final action on these provisions relating to the powers and functions units of local government which were tabled at the last meeting. The committee will also discuss various reports from other subcommittees.
- Committee on Natural Resources and Environment at 9:00 a.m. in the LSU Law School, Room 304, to take final votes on constitutional provisions.
- Saturday:** Committee on the Executive Department at 9:00 a.m. in Room 306, LSU Law School, to consider and draft proposals and reports from the various subcommittees.

Committee on Local and Parishal Government at 10:00 a.m. in the Conservation Auditorium, Natural Resources Building, to take final action on those provisions relating to the powers and functions units of local government which were tabled at the last meeting. The committee will also discuss various reports from other subcommittees.

Committee on the Judiciary at 9:30 a.m. in Committee Room 1, State Capitol, to continue taking preliminary votes on the Judiciary Department.

Committee on Revenue, Finance and Taxation at 9:00 a.m. in the Budget Committee Room, State Capitol, to continue Friday's meeting.

Committee on Natural Resources and Environment at 9:00 a.m. in the LSU Law School, Room 304, to continue Friday's meeting.

June 18, 1973 No. 15

#### REGIONAL MEETINGS

Final plans are underway for the regional meetings throughout the state during the week of June 25 - July 2. Delegates are urged to attend these meetings and encourage the public to also attend. The meetings are being planned to allow citizens in the state to ask questions and make suggestions concerning the new constitution and to find out about Convention activities. The particular format used in each meeting will be determined by the chairman of the panels.

#### COMMITTEE ON BILL OF RIGHTS

A 25-section Bill of Rights was given final approval by the committee. A proposal on the right to bear arms was adopted which reads as follows:

"Subject to the police power, the right to keep and bear arms and ammunition shall not be abridged. This provision shall not prevent the passage of laws to prohibit the carrying of concealed weapons, but in other cases, personal arms shall not be subject to confiscation or special taxation."

The committee agreed to delete a previously approved section dealing with the rights of marriage limited by the power of the state to restrict it with reasonable health requirements, full consent and similar requirements, plus a paragraph that parents have a right to raise children "in accordance with their own convictions" subject to reasonable minimum standards of health, education and welfare of the child.

A new proposal was approved concerning the right of the individual to own property, subject to the police power of the state and law of forced heirship, and that the property could not be taken away "except for a public use and necessary purpose and with just compensation." The latter criteria shall be "a judicial question and determined without regard to any legislative assertion."

In other action the committee agreed to:

Allow initiative referendums on petition of 15 per cent of the electors on condition that details of the proposal be checked with the Secretary of State and other elected officials.

Provide that, "No person shall be denied the right to observe the deliberations of public bodies and examine public documents except in the cases established by law in which the demands of privacy exceed the merits of public disclosure."

Approved a preamble which reads, "We, the people of Louisiana, grateful to Almighty God for the civil, political, economic and religious liberties we enjoy and desiring to protect individual rights to life, liberty, and property; afford opportunity for the fullest development of the individual assure equality of rights, provide for the health, safety, education and welfare of the people; maintain a representative and orderly government; ensure domestic tranquility; provide for the common defense; and secure the blessings of freedom and justice to ourselves and our posterity, do ordain and establish this constitution."

#### COMMITTEE ON REVENUE, FINANCE AND TAXATION

The committee voted to delay past the June 22 deadline in order to consider a new property tax proposal by the Louisiana ASSESORS.

The committee approved a proposal to retain the right of the legislature to tax and spend for the benefit of the state and that the legislature retained was a sentence specifying that taxes "shall be imposed only for public purposes."

In other action the committee approved:

A proposal to maintain the present provision which requires a two-thirds vote of the legislature for tax increases.

A motion that would seek moving the constitutional sections dealing with trade from the constitution to the statutes.

Recommending that parish governing authorities be given the right to decide whether industry will be given a property tax exemption.

The deleting of provisions protecting goods stored in ports or awaiting interstate commerce.

#### COMMITTEE ON THE EXECUTIVE DEPARTMENT

The committee approved a plan for impeachment of state and district officials for felonies or malfeasance in office, incompetency, corruption or gross misconduct. Under the proposal the House would appear with the Senate trying the case. A justice of the state supreme court would act as presiding officer.

The committee also approved various proposals for duties of state elected officials and commissions:

The Public Service Commission was increased from three to five members. Appeals must be made in Baton Rouge District Court. With the decision appealable directly to the state Supreme Court. Concerning utility rate increases the committee approved a section which states, "The commission shall render its decision on a proposed rate schedule within six months from the date of filing; otherwise, the proposed schedule shall be deemed to be tentatively approved and, pending final determination may be put into effect subject to such protective bond or security requirements as may be provided by statute. If no final decision is rendered by the commission within 12 months of the date of filing, the proposed schedule shall be tentatively approved. If the commission disapproves the proposed schedule, in whole or in part, the carrier or utility may place or continue the schedule in effect under bond or security subject to any appeal and final decision by the court of last resort, to recover any refund that may be finally directed. Refund suits may be filed only within one year after such final action."

Concerning the filling of vacancies the committee agreed that, "where no other provision therefor is made by this constitution, by statute by local government charter or by ordinance, the governor shall fill any vacancy occurring in any elective office, if at the time a vacancy occurs in such office and the unexpired portion of the term of office is more than one year, the vacancy shall be filled at an election within six months as may be provided by statute. The appointment provided for herein shall be effective only until a successor is duly elected and qualified."

In connection with pardons the committee approved a section stating that, "Except in cases of conviction upon impeachment, the governor may reprove may grant commutation of sentence, and may pardon those convicted of offenses against the state and may remit fines and forfeitures imposed for such offenses. Other remedies for those convicted of offenses may be provided by statute."

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The attorney general was granted power, "As may be necessary for the assertion or protection of the rights and interests of the state, the attorney general shall have authority to:

"(1) Institute and prosecute or intervene in any legal actions or other proceedings, civil or criminal;

"(2) Exercise supervision over the several district attorneys throughout the state; and

"(3) For cause, supersede any attorney representing the state in any civil or criminal proceeding."

The duties of the lieutenant governor shall be to "serve ex officio as a member on every committee, board and commission on which the governor exercises the powers delegated to him by the governor, and perform such other functions in the executive branch as may be provided by statute."

For the secretary of state the committee said, "The department of state shall be headed by the secretary of state, who shall serve as the chief elections officer and administer the election laws and retain the original of all laws enacted by the legislature; countersign all commissions and keep an official registry of same; administer oaths; and perform such other functions as may be provided by statute."

The governor must issue a five day notice by the governor for special sessions, but may amend the proclamation until two days before the session begins.

Language approved giving the governor certain powers to appoint would read, "The governor shall appoint, subject to confirmation by the Senate, the heads of all departments in the executive branch whose election is not provided for by this constitution; and all members of boards and commissions in the executive branch whose appointment or election is not provided for by this constitution."

"Should the legislature be in session, the governor shall submit for confirmation by the Senate the names of persons appointed within 48 days after the appointment is made. Failure of the Senate to confirm an appointment prior to the end of the session shall be equivalent to rejection."

"Should the legislature not be in session, the governor may make interim appointments which shall expire at the end of the next session of the legislature."

"A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature."

Under a section entitled "Removal," the panel approved, "The governor may remove from office those whom he appoints, except those appointed for a term fixed by this constitution or by statute."

Other provisions approved would:

Give the governor 30 days in which to act upon legislative measures.

Allow the governor to institute across-the-board percentage cuts in the budget if the general appropriation bill calls for.

#### COMMITTEE ON LOCAL AND FRANCHISE GOVERNMENT

The committee agreed to allow home rule charter elections on petition by 15 instead of the present 10 per cent of the electors of the unit involved.

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The section on levee districts was approved. As passed the provision would:

Continue districts as now constituted under the statutory law with the legislature authorized to consolidate, divide or organize.

Allow districts within one parish to be consolidated into that parish's general government.

Continue the existing millage authority of five mills for all districts except the New Orleans district which has a two and one-half mill ceiling.

Also approved by the committee which would allow unincorporated areas of any parish operating under a home rule charter or plan of government may upon signature by two-thirds of registered voters present a petition to the governing authority of the parish for incorporation. If approved, the area may be incorporated provided no such area shall include any property previously included in any industrial area or district.

A proposal was approved allowing two or more governing authorities of a parish to join to form a parish government if a majority of all voters in the authorities approve and all the authorities have representation on the resulting governing body.

#### JUDICIARY COMMITTEE

The committee completed its proposed article which will be presented to the full Convention. In final action the committee decided to allow the senior justice of the state Supreme Court to automatically serve as chief justice. An age limitation of 65 was placed.

The committee adopted a proposal to leave the terms for Orleans District judges at the present 12 years, but would permit the legislature, subject to a referendum in Orleans Parish to reduce them to not more than six years.

The chief justice of an appeals court is to be elected by his colleagues for a five year term.

A proposal for creation and jurisdiction of courts in the state was approved in three sections. The first section reads, "The judicial districts and the courts of the state shall be: civil, criminal, family, and juvenile courts existing at the time of the adoption of this Constitution be retained. The legislature, by a majority vote of the elected members of each house, and with approval of the legislature in each district or parish affected, may establish, abolish, or merge trial courts or limited or specialized jurisdictions or merge courts of appeal under jurisdiction, or judicial districts subject to the limitations" in the article.

The second section says, "Notwithstanding any provision" of the previous section to the contrary, "the legislature may, with approval in a referendum in the parish affected, establish, in that parish, a parish court and other courts of limited jurisdiction in the parish may be simultaneously abolished. A judge of a parish court shall be elected for a six-year term."

The third section states, "The jurisdiction of parish courts established under the provisions of this section shall be uniform throughout the state and limited to the trial of misdemeanors and civil matters not exceeding the value of sum of \$3,500, exclusive of interest or costs."

#### COMMITTEE ON NATURAL RESOURCES

A general policy statement on environmental protection was passed by the committee. The proposal reads, "The natural resources of the state, including air and water, shall be protected, conserved, and insofar as possible, replenished, consistent with the health, safety and welfare of all people. The healthful, scenic, historic, and esthetic quality of the environment shall be preserved insofar as possible. The legislature shall implement this policy by appropriate legislation."

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The committee also passed a proposal to leave constitutional protection for the wild life and Fisheries Commission and the Forestry Commission.

Other recommendations made by the committee included:

Retention of the provision that the Department of Agriculture shall be directed by the Commissioners of Agriculture whose duties and powers are prescribed by the legislature.

Putting in the statutes provisions allowing the legislature to enact laws fostering agriculture and preventing spread of pests and diseases harmful to plants and animals, as well as laws limiting or prohibiting cultivation of certain crops.

Deletion of provisions giving the governor the right to sell the state's title to land under the water for the Ponchartraine Causeway islands.

Deletion of provisions permitting police juries to set up agriculture industrial bonds of man, on a waterway, the bed of which is owned by the state, for industrial plants to process agriculture products.

**GAZETTE**  
**Reporter**

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

June 25, 1973 No. 16

#### COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT

The committee completed its report which will be submitted to the entire Convention July 5. As approved the report contains a section which states, "Mineral rights to land formed or exposed by accretion or deterioration caused principally by acts of man, on a waterway, the bed of which is owned by the state, are retained by the state."

Also included is a proposal which reads, "Mineral rights to land lost by erosion caused principally by acts of man, on a navigable waterbody, are retained by the riparian landowner."

#### SUBCOMMITTEE ON CLASSROOM INSTRUCTION

The subcommittee of the Public Information Committee met with representatives from the State Department of Education to discuss means of including material on the Convention in the school curriculum. It was decided to run a pilot program this summer with students and teachers throughout the state who would attend sessions of the Convention and form their own mock convention. Material derived from this pilot program would then be used to develop a method of instruction for the schools.

#### COMMITTEE ON RULES, CREDENTIALS AND ETHICS

The committee passed three resolutions concerning rule changes to be voted on by the entire Convention. The first resolution proposes that one or more delegates may submit a minority report. The second, concerning alternatives proposes that no more than six alternatives be placed on the ballot. The priority of the alternatives will be voted on by the entire Convention. The third resolution proposes that all lobbyists, including state and local officials, must register and pay a \$10 fee. In addition all lobbyists must wear an identification badge when engaged in such activities.

#### COMMITTEE ON EDUCATION AND WELFARE

The committee adopted final proposals for state and city civil service. The section of the present constitution dealing with municipal fire and police was accepted, however wording was changed so that the provision also applies to the city of New Orleans.



## REPORTER

Official newsletter of  
PUBLIC INFORMATION COMMITTEE

July 16, 1973 No. 17

#### COMMITTEE ON LEGISLATIVE POWERS AND FUNCTIONS

The Committee on Legislative Powers and Functions was the first subcommittee to have its proposal considered by the Convention. The delegates on July 13, 1973 adopted section I of Article III, dealing with the legislative department. That portion which was adopted reads as follows with amendments:

"Section I. (A) The legislative power of the state is vested in a legislature, consisting of a Senate composed of one senator elected from each senatorial district and a House of Representatives composed of one representative elected from each representative district.

(B) The legislature shall be a continuous body during the term for which its members are elected, provided that bills and resolutions not finally passed by both houses in any session of the legislature shall be automatically withdrawn from its files."

A floor fight developed over how long and when the legislature should meet, and the delegates put together a majority coalition, adjourning until Wednesday, July 18, 1973, before any decision could be reached. The controversy is centered around two amendments, one offered by Sen. B. B. "Saxy" Rayburn of Bogalusa and another by Louis George Riecke of New Orleans. Sen. Rayburn's amendment would set the number of working days to 60 which would be fitted into an 80-day period. This amendment was adopted on July 13, 1973.

However, on July 14, 1973 delegates reversed themselves and adopted a rival amendment by Mr. Riecke. His proposal dealt with split sessions, beginning with the fourth Monday in April. Bills would be introduced

during the first 15 days and neither house nor committee could vote during this interval. Under this proposal, 50 working days would be left in which to legislate with adjournment coming by July 31.

After additional debate, Camille Gravel of Alexandria introduced a proposal similar to Mr. Riecke's with the only difference being in length. Two needed to introduce. Mr. Gravel's plan calls for introduction of bills during the first ten days and the session would begin and end a month earlier. The 27-second proposal deals with the legislative department, impeachment and removal of officials, and necessary provisions with respect thereto.

The Convention is expected to continue deliberations on this issue when it reconvenes Wednesday, July 18.

#### COMMITTEE ON REVENUE, FINANCE AND TAXATION

The Louisiana Assessors' Association presented its property tax plan to the Committee on Revenue, Finance and Taxation on July 11, 1973. Opposites voiced by committee members who were fearful it might "perpetuate present inequities in assessments." Delegate Herman "Mondy" Lowe of Port Allen, a member of the committee and treasurer of the Convention, expressed his opposition over the proposed plan regarding the right of the assessors "to determine the fair market value of all property subject to taxation..."

The plan as submitted, call for an assessment of business and residential property at 15 percent of fair market value, and gives "every citizen the right to test the correctness of their assessment."

Payam Hiss, Assessor from Lake Charles and a delegate to the Convention, introduced the measure of his "legality is questionable." He stated that his group's plan was designed to stop the local property tax break and not to shift taxation on business and industry.

Under the assessors' plan, household exemptions would be reduced to \$10,000, and residential improvements would be taxed at a percentage of its actual value. This would mean that a residential exemption would be granted for residences up to \$100,000. The committee will meet again on Wednesday, July 18 to continue discussion on the matter and to vote on delegate proposals.

#### COMMITTEE ON THE EXECUTIVE DEPARTMENT

The proposal dealing with the executive branch of state government was given final approval on July 12 by the Committee on the Executive Department. A total of 47 amendments, primarily technical changes, received the committee's approval during its two-day session.

The committee's proposal provides for the creation of a cabinet of secretaries for the filing of vacancies in certain public offices and with respect to dual office-holding, a code of ethics and impeachment. The article as adopted as of Thursday was about 1000 words and dealt with prohibitions against dual office-holding and mandating the legislature to establish a board of ethics. However, the committee removed those provisions from its article and added language that the committee incorporated into separate non-statutory bills. The language the committee incorporated into the executive branch of the government. The committee's action is reflected in the article, rather than being made into a separate article, that it could be expected out with the rest of the executive branch.

Several weeks ago, the committee's plan for the executive branch was given existing ethics boards—due for review and amendment. The committee's plan, however, since the plan was adopted, the committee incorporated the basic guidelines for the executive branch into the constitution.

Much of the discussion on Thursday, July 13, 1973, was centered around the offer by Delegates Moser Dandridge and Louis George Riecke of Bogalusa, which would establish a code of ethics for all state employees.

#### COMMITTEE ON BILL OF RIGHTS AND AMENDMENTS

The Committee on Bill of Rights and Amendments met on July 13 and discussed Delegate Ford Simpson's proposal for a Bill of Rights. The committee will meet again at 10:00 a.m. on July 14 to discuss the proposal.

#### COMMITTEE ON NATURAL RESOURCES

During deliberations on the state's natural resources, the Grand Jurors Board of the Committee on Natural Resources in Fisheries, Wildlife and Game, Edwin Edwards, Mineral Chairman Andrew Mathis, Chairman, General William Guste or one of his aides and other state officials, met before the group. The committee's plan called for the state to receive all the money it's entitled to in royalties, mineral rights. The committee reconvenes July 19 to continue deliberations.

CONSTITUTIONAL CONVENTION  
FINANCIAL CONDITION 6/30/73

Estimated Budget	Prior Expenditures	June Expenditures	Outstanding Obligations	Total Exp. & Oblig.	Balance
Expenditures:					
Salaries:					
Research	127,914.01	47,602.78		175,516.79	
Clerk's Office	4,592.58	952.34		5,544.92	
Finance	2,866.32	1,184.60		4,050.92	
Public Information	4,967.17	1,476.92		6,444.09	
<b>SALARY TOTAL:</b>	<b>140,340.08</b>	<b>51,256.64</b>		<b>191,596.72</b>	
Employer's Fringe Benefit Share:					
Teachers' Retirement	719.96	353.07		1,073.03	
State Retirement	5,657.42	3,957.68		9,615.10	
F.I.C.A.			255.07	255.07	
Group Hospitalization	648.76	437.56		1,086.32	
Group Life	149.85	144.70		294.55	
<b>BENEFIT TOTAL:</b>	<b>7,175.99</b>	<b>4,893.01</b>	<b>255.07</b>	<b>12,324.07</b>	
Other Expenses					
Sergeant At Arms	14,635.00	855.00	1,000.00	16,490.00	
Delegate per diem	115,100.00	24,000.00	25,000.00	164,100.00	
Meeting Rooms, etc.	25,486.95			25,486.95	
Postage	2,577.12	1,645.24		4,222.36	
Printing	603.84	439.24	92.85	1,135.93	
Equipment Rental	5,653.22	6,996.51		12,649.73	
Telephone & Telegraph	1,058.94	515.55	2,000.00	3,584.49	
Staff Travel	724.32	306.13	116.84	1,147.29	
Office Supplies	8,432.07	1,972.82		10,404.89	
Equipment Purchase	603.25		338.64	941.89	
Law Building Renovation	11,799.00		429.98	12,228.98	
<b>GRAND TOTAL:</b>	<b>334,199.78</b>	<b>92,880.14</b>	<b>29,233.38</b>	<b>456,313.30</b>	
Legislative Act 186, 72-73	350,000.00				
Bal of Liquidation Resolution 1	90,000.00				
73-74 General Funds	2,500,000.00				
	<b>\$2,940,000.00</b>				
					<b>\$2,483,686.70</b>

CONSTITUTIONAL CONVENTION 1973  
Actual Expenditures by Committee  
June 30, 1973

	<u>Prior Expenditures</u>	<u>June Expenditures</u>	<u>Total Expenditures</u>
<b>General Convention:</b>			
Clerk's Office-Salary	4,592.58	992.34	5,584.92
Finance-Salary	2,866.32	1,184.60	4,050.92
General Convention	369.24		369.24
Office Supplies	608.90	42.56	651.46
Printing	224.90		224.90
Delegate per diem	57,450.00		57,450.00
Meeting Expense	33,090.70	75.00	33,165.70
Telephone & Telegraph	94.20		94.20
Postage	64.78		64.78
	<u>99,361.62</u>	<u>2,294.50</u>	<u>101,656.12</u>
<b>Executive Committee:</b>			
Staff Travel	29.06		29.06
Office Supplies	16.87		16.87
Delegate per diem	7,100.00	1,950.00	9,050.00
Meeting Expense	1,580.00	30.00	1,610.00
	<u>8,725.93</u>	<u>1,980.00</u>	<u>10,705.93</u>
<b>Committee on Committee:</b>			
Delegate per diem	1,750.00		1,750.00
Meeting Expense	400.00		400.00
	<u>2,150.00</u>		<u>2,150.00</u>
<b>Rules Committee:</b>			
Delegate per diem	2,400.00		2,400.00
Meeting Expense	209.54		209.54
	<u>2,609.54</u>		<u>2,609.54</u>
<b>Composite Committee:</b>			
Staff Travel	177.90	306.13	484.03
Delegate per diem	50.00		50.00
Meeting Expense	360.00	60.00	420.00
	<u>587.90</u>	<u>366.13</u>	<u>954.03</u>
<b>Research:</b>			
Salaries	127,544.77	47,602.78	175,147.55
Travel	243.55		243.55
Equipment Rental	5,653.22	6,996.51	12,649.73
Office Supplies	7,534.95	1,870.26	9,405.21
Printing	330.69	208.24	538.93
Postage	2,512.34	1,413.50	3,925.84
Telephone & Telegraph	974.74	515.55	1,490.29
Equipment Purchase	603.25		603.25
Major Repairs	11,799.00		11,799.00
Health Insurance	597.88	437.56	1,035.44
Life Insurance	200.73	144.70	345.43
Retirement	6,377.38	4,310.75	10,688.13
	<u>164,372.50</u>	<u>63,499.85</u>	<u>227,872.35</u>
<b>P-1 Committee:</b>			none
<b>P-2 Committee:</b>			
Delegate per diem	900.00		900.00
Meeting Expense	780.00		780.00
	<u>1,680.00</u>		<u>1,680.00</u>
<b>P-3 Committee:</b>			
Delegate per diem	450.00		450.00
	<u>450.00</u>		<u>450.00</u>

## Expenditures by Committee 6/30/63

P-4 Committee:			
Postage		231.74	231.74
Salary	4,967.17	1,476.92	6,444.09
Office Supplies	271.35	60.00	331.35
Printing	48.25	231.00	279.25
Delegate per diem	500.00	600.00	1,100.00
Meeting Expense	60.00		60.00
	<u>5,846.77</u>	<u>2,599.66</u>	<u>8,446.43</u>
S-1 Committee:			
Delegate per diem	2,500.00	1,800.00	4,300.00
Meeting Expense	300.00	120.00	420.00
	<u>2,800.00</u>	<u>1,920.00</u>	<u>4,720.00</u>
S-2 Committee:			
Delegate per diem	3,200.00	3,400.00	6,600.00
Meeting Expense	557.47	180.00	737.47
	<u>3,757.47</u>	<u>3,580.00</u>	<u>7,337.47</u>
S-3 Committee:			
Delegate per diem	3,550.00	1,700.00	5,250.00
Meeting Expense	360.00	60.00	420.00
	<u>3,910.00</u>	<u>1,760.00</u>	<u>5,670.00</u>
S-4 Committee:			
Delegate per diem	8,050.00	3,250.00	11,300.00
Meeting Expense	484.24	60.00	544.24
Staff Travel	66.56		66.56
	<u>8,600.80</u>	<u>3,310.00</u>	<u>11,910.80</u>
S-5 Committee:			
Delegate per diem	8,100.00	1,550.00	9,650.00
Meeting Expense	390.00	60.00	450.00
Staff Travel	90.59		90.59
	<u>8,580.59</u>	<u>1,610.00</u>	<u>10,190.59</u>
S-6 Committee:			
Delegate per diem	8,550.00	2,900.00	11,450.00
Meeting Expense	420.00	60.00	480.00
Staff Travel	116.66		116.66
	<u>9,086.66</u>	<u>2,960.00</u>	<u>12,046.66</u>
S-7 Committee:			
Delegate per diem	7,350.00	4,650.00	12,000.00
Meeting Expense	300.00	60.00	360.00
	<u>7,650.00</u>	<u>4,710.00</u>	<u>12,360.00</u>
S-8 Committee:			
Delegate per diem	3,700.00	2,200.00	5,900.00
Meeting Expense	330.00	90.00	420.00
	<u>4,030.00</u>	<u>2,290.00</u>	<u>6,320.00</u>
<hr/>			
Grand Total	334,199.78	92,880.14	427,079.92
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# REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

July 30, 1973 No. 18

## HISTORY OF CONSTITUTIONAL CONVENTIONS IN LOUISIANA

Louisiana has operated for a total of 11 constitutional sessions obtaining a schedule more than any other state has had. The 1811 Convention was held to write a document preparatory to achieving statehood. The result of this convention was a constitution consisting of 12 printed articles containing a total of only seven articles and 92 sections, with a preamble and a schedule of provisions necessary to place the document into operation. It set forth, defined and placed limitations upon the powers of government for the basic rights of the people and contained general principles rather than changeable details.

However, several provisions were contained in the document which were viewed as undemocratic, such as the provision that only property owners were eligible to vote, neither stringent property requirements were placed on candidates for governor, and the governor was chosen by the Assembly from the two candidates receiving the most votes.

Because of these and other restrictive provisions, another Constitutional Convention was held in 1844-45. This convention came up with a document which changed or eliminated many of the objections to the first constitution. In addition to abolishing the restrictions mentioned above, the Constitution of 1845 also abolished annual legislative sessions, instituting instead 60-day biennial sessions.

The Constitution of 1845 was adopted in order to bring about democratic reform; however, another convention was held in 1852 which made even more sweeping reforms. The 1852 Constitution was termed "radical" by many and provided for the election of the Secretary of State, State Treasurer and State Auditor. Both the Constitutions of 1845 and 1852 were written in simple, concise language, providing basic concepts and principles of government and fundamental rights of the people.

The Constitutions of 1861, 1864 and 1868 followed the same pattern as the previous ones had. The Constitution of 1868 was much more than made necessary changes in the language contained in the 1852 document. These changes were necessitated by Louisiana's joining the Confederacy.

The Convention of 1864 was called by Gen. Nathaniel P. Banks, federal commander over that part of Louisiana under federal control. Only citizens from federally-occupied sections of the state were allowed to be elected. The constitution was ratified by the people but never approved by Congress. It called for the abolition of slavery and provided public education of both races. Lotteries and gambling houses were authorized, under provisions of the constitution, gambling operations had to be located on the ground floor of establishments.

The 1868 Constitution was the work of a convention called by Gen. Philip B. Sheridan for the previous year. This constitution denied suffrage to anyone who had participated in the Civil War unless he filed a signed statement with the Secretary of State renouncing his participation and recognizing that the war had been morally and politically wrong. Despite the addition of a large number of provisions and the inclusion of a Bill of Rights, the 1868 Constitution amounted to a short document of only 27 pages.

With the end of Reconstruction, Louisiana entered a new era of constitution-making. Unlike the first six documents, the next four are characterized by the inclusion of statutory detail.

The Convention of 1879 drafted a document which removed the suffrage requirements of 1868. Additionally, gambling was declared a vice, and the General Assembly was directed to suppress such activity. Courts of appeal were added to the judicial structure. In final form the document contained 268 sections and 57 pages—more than double the length of its predecessor. It was subject to frequent amendment.

The trend toward placing limitations on legislative power and statutory provisions continued in the 1898 Constitution. The convention was called because of demands for reform in the suffrage provisions. The constitution contained 316 articles and some 97 pages of printed matter. A total of 19 detailed provisions relating to elections were included, among them education or property qualifications for voting, and a "grandfather" clause which excluded most whites. It was the first constitution to contain numerous highly detailed and separate provisions relating to New Orleans, particularly its courts and judicial officers.

The 1911 Convention was limited by legislative act to provisions dealing with the bonded debt of the state and the powers and duties of the Orleans, St. Bernard and Water Board. The convention exceeded these limits, and the Supreme Court ruled null and void the provisions outside the legislative act. The convention which resulted, however, continued the trend of long documents containing 105 pages.

The Constitution of 1911 was adopted after much pressure for reform in government was exerted. The present constitution was long and complicated originally, and it has undergone monumental changes over the past 62 years. Public officials, lawyers and students of government are challenged to understand its provisions, even in the areas of their particular expertise.

In 1946 the legislature instructed the Louisiana Law Institute to draft a new constitution. The result was a Project of a Constitution for the State of Louisiana. It was completed in 1950 and was used in this state and other states as a model for constitutional reform. In the same year, the legislature decided to call a constitutional convention. It considered the findings of the Law Institute. An act to do so was passed in the regular session, amended in the second extra session and finally suspended in the third extra session that year.

Unsuccessful attempts were made to call conventions in 1952 and 1954. Act 166, passed in 1956, provided for a convention call, set up the organizational committee and appropriated \$800,000 for operational costs, but it was defeated in a referendum.

After 1956 interest in constitutional reform receded into the background. Three bills calling for conventions were introduced in the 1962 Legislature, but no committee hearings were held. In 1964 Louisiana followed the example of several other states and passed an amendment allowing the legislature to propose an amendment for the revision of an entire constitutional article. The Law Institute was again named as the revision agency. However, during the first five years only one article relating to the impeachment of judges was adopted by the legislature and approved by the people as a constitutional amendment.

In the presidential election of 1968 the people of the state were confronted with the task of voting on 58 proposed amendments, the second largest number submitted since 1921. Coupled with having to vote for presidential electors, a senator and congressmen, the voters grew increasingly weary.

Because of the voter unrest, two concurrent resolutions were passed in the 1968 fiscal session—one requested the governor to call a special session of the legislature to consider constitutional revision; and the other directed the Law Institute to study the feasibility of removing certain statutory material from the constitution and placing it in the statutes as a special category requiring a two-thirds vote for amending and repealing.

In 1970 the legislature authorized the formation of the Louisiana Constitutional Revision Commission. The commission assumed the functions of the Law Institute and was to prepare "a revision of the Louisiana Constitution in total or in part for submission to the Legislature." The commission made its report to the legislature, but its work ended in 1972 when the legislature passed Act 2 calling a Constitutional Convention for 1973.

Next Week...A discussion of Act 2 setting up the present convention.

## CONVENTION CALENDAR

July 30 - August 3

- Tuesday:** Committee on the Executive Department at 5:00 p.m. in Committee Room 1 to review Committee Proposal No. 4.
- Wednesday:** Committee on Rules, Credentials and Ethics after adjournment in Committee Room 1 to continue consideration of Resolutions referred to the committee.
- Thursday:** Committee on Education and Welfare at 9:00 a.m. in Committee Room 5 to consider the following agenda: Continuation of hearings on education. Delegate Proposals 8, 9, 10. Committee Proposal 7.
- Committee on Revenue, Finance and Taxation at 9:00 a.m. in Committee Room 1 to continue consideration of the proposed article on Revenue, Finance and Taxation.
- Committee on Local and Parochial Government at 9:00 a.m. in Committee Room 9 to continue consideration of Committee Proposal No. 17 and Delegate Proposal No. 1.
- Committee on the Judiciary at 9:30 a.m. in Committee Room 1 to continue consideration of Committee Proposal No. 6.
- Committee on Bill of Rights and Elections at 9:00 a.m. in Committee Room 1 to be announced to continue discussion of election provisions.
- Friday:** Committee on Legislative Liaison and Transitional Measures at 11:45 a.m. in the Ante Room, White House Inn for discussion of categories into which material within the jurisdiction of each substantive committee may be divided.
- Committee on Revenue, Finance and Taxation at 9:00 a.m. in Committee Room 1 to continue Thursday's meeting.
- Committee on Local and Parochial Government at 9:00 a.m. in Committee Room 9 to continue Thursday's meeting.
- Committee on the Judiciary at 9:30 a.m. in Committee Room 1 to continue Thursday's meeting.

# REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

August 6 No. 19

## Louisiana Constitutional Convention of 1973

The Constitutional Convention of 1973 was called under authority granted by provisions of Act II approved by the Legislature in 1972. Under Act II, delegates met for the first time on January 5, 1973 at which time they elected officers, formed an advisory committee and adopted rules of procedure. It then adjourned until July 5. In the interim, the Executive Committee hired a research director and a staff. Under the rules, delegates set up steering, substantive and procedural committees which deal with the day-to-day operations of the convention. The substantive committees, together with the help of the research staff, wrote the proposals which are currently being presented to the convention.

The convention is composed of 132 delegates—one elected from each House of Representatives district; 12 appointed by the governor to represent industry, labor, education, civil service, wildlife and conservation, law enforcement, the judiciary, the professions, consumers, agriculture, youth and racial minorities; and 15 delegates chosen at-large by the governor. The governor is empowered to fill a vacancy in an elected seat by the appointment of a person from the same representative district. A vacancy in an appointed delegate's seat is made "in the same manner as the original appointment."

The convention has full authority to frame an entirely new document for the state, including such alternative provisions as it deems appropriate to be submitted to the voters of the state for approval or rejection. However, there are three stipulations to the act which prohibit the convention from writing any article or provision which will (a) impair the bonded indebtedness of the state or of any parish, municipality, district or other political subdivision or authority of the state; (b) change the terms of office of any elected or appointed official; (c) extend prior to the expiration of the present term of office; and (d) removal of the state capitol from Baton Rouge.

Delegates to the convention are paid \$50 for each day of actual attendance at meetings of the full convention or its committees. No delegate may receive any compensation for work performed for the convention from any source while serving as a delegate and engaged in convention work except from the delegate's regular employer.

The eight substantive committees are: Bill of Rights and Elections, Executive Department, Legislative Functions, Judiciary, Local and Parochial Government, Revenue, Finance and Taxation, Education and Welfare and Natural Resources and Environment.

Each delegate serves on one substantive committee and may serve on only one procedural committee. By convention rules committees may contain no more than 10 and no more than 30 delegates. At the present time, committees range in size from 10 to 23 members each. The purpose of the rules regarding service on committees was to guarantee that a large number of delegates could exercise control of the convention and to insure that power and responsibility was distributed among the 132 delegates.

The officers of the convention are: Rep. E. L. "Bubba" Henry of Jonesboro, chairman; Ruth Loyd Miller of Jennings, first vice chairman; Rep. Thomas A. Carey of New Orleans, vice chairman; Rev. Avery C. Alexander of New Orleans, vice chairman; Chris J. Roy of Alexandria, vice chairman; Moise W. Denney of New Orleans, secretary; and Herman "Monday" Lowe of Port Allen, treasurer.

Unlike previous conventions, a fulltime staff is employed to assist delegates in conducting research for the new constitution.

The convention meets each Wednesday through Saturday in Independence Hall in Baton Rouge for deliberation of the various proposals and resolutions. The meetings are open to the public. Committees are continuing the work they began in January, and they, too, are open to the public.

Delegates must complete their work no later than January 4, 1974, according to the provisions of Article I. Upon completion of its work, the convention will submit a proposed draft of the new constitution to the governor. Within 30 days after the governor receives the draft, he shall, by proclamation call an election, to be held at the same time as the next regularly-scheduled general election, or he may, at his discretion, call a special election to be held at a time prior to the next regularly-scheduled general election. The people will then decide whether they want to adopt the new constitution as written by the delegates or whether they want alternatives included.

The new constitution, if ratified and adopted by the people, and such alternate proposals as are approved by the electors, will become effective at 12 o'clock midnight on the 30th day after the date on which the secretary of state promulgates the results of the election.

#### Committee Reports

In action the previous week, the Committee on the Executive Department adopted a proposal requiring the legislature to enact a code of ethics prohibiting "conflict between public duty and private interests of all employees of the state and its political subdivisions." Here, the committee decided not to include this provision should be included in the constitution or in the statutes. This committee's proposal on the executive department is presently before the convention for deliberation.

The Committee on the Judiciary worked out a compromise on changing the courts. In the future courts could be merged, and under the compromise agreement, this would allow the legislature to come up with either a three or four court system. The provisions, however, do not freeze either system into the constitution, and committee members agreed that abolition or creation of courts will be done only by legislative act after their proposal. Committee members are getting the proposal in final form as they expect it to be the next proposal put before the convention after final adoption of the article on the executive branch.

The Committee on Bill of Rights and Elections considered the election provisions under "General Government" and "Executive Department." The sections concerning elections which were approved by the committee were rearranged and resubmitted to the committee by the staff along with recommended changes. The committee voted to hold over a decision on the suggested changes. Members also discussed constitutional revision and decided to have some expert opinions on this subject at its meeting this week.

Committee on Education and Welfare heard from numerous witnesses during public hearings this past week. Members heard from the LSU system, PAR, CAGB and the League of Women Voters. Other individuals appearing before the group were Edguy were before the committee. The committee will take up its proposal on education. Members expect a decision to be made concerning higher education.

A new proposal by the tax assessors was submitted to the Committee on Revenue, Finance and Taxation, but the committee was asked to defer questions on the proposal until they had a chance to study it and compare it with the previous version done by the assessors and also the proposal submitted by those committeemen who are not tax assessors. In the new plan, the assessors propose a \$5,000 homestead exemption rather than the original proposed \$10,000. The assessors also recommended that land be placed on the assessment rolls at five percent of its fair market value, improvements at 10 percent and all other property at 15 percent. The committee hopes to come up with a compromise on the two proposals in the very near future.

#### CONVENTION CALENDAR

August 6 - 11

**Tuesday:** Committee on Revenue, Finance and Taxation at 2:00 p.m. in Committee Room 4, State Capitol, for public hearings on property taxes.  
Committee on the Executive Department at 6:00 p.m. in Committee Room 5, State Capitol, to hear testimony concerning the functions of state officials.  
Committee on Bill of Rights and Elections at 10:00 a.m. in Committee Room 1, State Capitol, to hear public testimony on the committee's proposal.

**Wednesday:** Committee on Bill of Rights and Elections at 10:00 a.m. in Committee Room 1, State Capitol, to continue Tuesday's meeting.  
Committee on the Judiciary at 9:00 a.m. in Committee Room 9, State Capitol, to continue consideration of Committee Proposal No. 6.  
Committee on Style and Drafting at 7:00 p.m. in the Senate Lounge, State Capitol, to consider Committee Proposal No. 3.

**Thursday:** Sub-Committee on Transitional Measures of Local and Parochial Government at 9:00 a.m. in Committee Room 9, State Capitol, to discuss transition of those matters not included in the committee proposal of Local and Parochial Government.  
Committee on Education and Welfare at 7:00 p.m. or after adjournment in Committee Room 5, State Capitol, for continuation of hearings on education, and consideration of Delegate Proposal Nos. 8, 9, 10 and Committee Proposal No. 7.  
The Executive Committee at 8:30 a.m. in Committee Room 1, State Capitol, to receive the following: status report from Treasurer, status report from Research Director, resolutions on General Convention business, and reports on General Convention business.



Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

August 13, 1973 No. 20

Delegates to the Constitutional Convention last week failed to approve the article dealing with the executive branch of government on which they have spent two calendar weeks of deliberation and debate. The vote on Friday, August 10, was 59-50.

The impasse over adoption of the article revolves around whether to have a cabinet form of government or not. In its original proposal, the Committee on the Executive Department specified that only five officials be elected: statewide-governor, lieutenant governor, secretary of state, attorney general and treasurer. However, during deliberations on this section, the convention added the commissioner of agriculture, commissioner of insurance and the new office of commissioner of elections to the list, making a total of nine officials instead of the present 11. Delegates agreed to the deletion of custodian of voting machines and register of state lands. The legislature, at its last session, decided to do away with the office of comptroller after this present term expires.

The proposal needed 67 votes in order to gain approval, but it received only a simple majority of the votes cast. Had the proposal failed to receive a simple majority of the votes, it would have been killed, and delegates would have had to start rewriting it from scratch.

August 13 - 18

During a committee meeting on Saturday, members disapproved a motion to invite the governor to appear before the convention, stating this "did not fit the image of the convention." A suggestion was made to refer the matter to the committee by Convention Chairman E. L. "Bubba" Henry that the proposal be returned to the calendar and remain there until the delegates finish work on the Judiciary article and other articles. No vote was taken on the matter; however, final action on the suggestion is expected to take place at the committee meeting scheduled for 5 p.m. Tuesday at the State Capitol.

Chairman Henry told the group Saturday that if the article came up for a vote again and failed to get the necessary 67 votes for passage, it would be rejected and delegates would have to start writing the article over again.

In other convention activities last week, the Committee on the Judiciary finalized its proposal and submitted it to the convention. Debate will begin on this article when the convention reconvenes at 9 a.m. on Wednesday. At its last committee meeting before sending the article to the Convention, the committee's members extensively reviewed comments on the attorney general's office and retirement benefits for judges.

Under the new statute, the attorney general will be empowered to "institute and prosecute or intervene in any civil actions or proceedings; advise and assist, upon request of a district attorney, in the prosecution of a criminal case; and subject to judicial review, for cause when authorized by the court of original jurisdiction in which any proceeding is pending, supersede any attorney representing the state in any civil or criminal action."

On retirement benefits for judges, the committee agreed to provide that judge with 16 years judicial experience may retire at age 4; a judge with 12 years may retire at age 55; upon retirement, a judge shall receive 90 percent of his salary for the first year, 80 percent for the second year, but not more than 90 percent of pay at the time of retirement; a judge who becomes mentally or physically incapable of performing his duties "at any time" shall receive 90 percent of his salary for the first year, but not to exceed 90 percent.

Also approved was a provision that if a judge dies, the surviving spouse, until remarriage, would be entitled to one half of his annual salary as judge prior to death or retirement. If no spouse is surviving, the unmarried children shall be entitled to said benefits until age 18.

Gov. Edwin Edwards appointed Robert Pugh, Shreveport attorney, to replace Rep. Richard Guidry, Galliano businessman, who resigned last week. Pugh is the only one of the 27 delegates appointed by the governor to come from North Louisiana. Guidry resigned because of the demands made upon his time by his business.

Pugh is an expert on court procedures and juvenile laws. He is author of the book, *Juvenile Laws of Louisiana, Their History and Development*.

In addition to the Committee on the Executive Department and the Committee on the Judiciary, other substantive committees which met last week include:

The Committee on Revenue, Finance and Taxation held public hearings last week. Ed Steinel of the Public Affairs Research Council (PAR) appeared before the group to present a property tax plan with a sliding scale to be used for homestead exemptions. He stated that the amount of the exemption should change periodically, based on the value of the average property in the district. He stated that his research organization has determined that the average owner-occupied home in this state is worth about \$14,600. Louisiana presently allows a homestead exemption of \$2,000 for homeowners aged 60 or over.

Ed Stagg of a Council for a Better Louisiana (CBL) also appeared, and he suggested that requiring all property owners to pay a share of the cost of government "will promote a better sense of responsibility among us all."

The Committee on Ball of Rights and Elections finished the election article and submitted it to the convention. The committee also presented the Convention. The group also completed work on constitutional revision and tentatively reached agreement on it. This provision will have to be carefully reviewed by the delegates. The committee also rejected a delegate plan for the constitutional amending process. Delegate Philip Bergeron of New Orleans sought to have a harder method for amending the constitution. Under his plan, amendment could be submitted to the voters only after it had approval of two-thirds of the legislature.

The committee has scheduled public hearings in Baton Rouge at the State Capitol at 10 a.m. on Tuesday, August 21 and Wednesday, August 22.

The Committee on Education and Welfare, after much discussion and debate, agreed to amend its proposed article on the makeup of the State Board of Elementary and Secondary Education. They decided that there would be eight elected members, one from each of the single-member districts and three appointed by the governor, constituting an 11-member board. Originally had proposed that the board be composed of 12 members, with members to the board and eight would be elected, comprising a 15-member board. Committee members also heard from Roy Innis of New York, director of the National Association for the Advancement of Colored People (NAACP). He recommended that students be given a "natural option" to attend any public school without regard to color and that the predominant race govern the institution. Rep. Johnnie Jackson of Shreveport, a delegate to the Convention, also spoke to the group and said that the committee should resolve the controversy between having an elected superintendent and an appointive board.

Convention Treasurer Herman L. "Monday" Lowe of Port Allen last week reported to the Executive Committee that the Convention has \$123,131 more in the bank than they had anticipated. At the present, the convention has a surplus of \$2.13 million. The treasurer said that the savings came about mostly because the convention has scheduled committee meetings to coincide with the opening of the convention in Baton Rouge. This saves money, since delegates only receive per diem for one day whether they attend one meeting a day or two or whether they attend both a meeting and a convention session.

**Tuesday:** Committee on the Executive Department at 5:00 p.m. in Committee Room 5, State Capitol, to consider and complete work on the proposed Code of Ethics and dual officeholding.

**Wednesday:** Sub-Committee on Transitional Measures of Local and Parochial Government at 5:30 p.m. in Committee Room 4, State Capitol, to consider the transposing of subject matter under the jurisdiction of the Local and Parochial Government Committee.

Committee on Natural Resources and Environment at 6:00 p.m. in Committee Room 205, State Capitol, to consider committee amendments to CP No. 16, to hear the following witnesses: Register of State Lands—Ellen Bryan Moore, Dry Poret; Department of Public Works—Daniel Cresap, Chief Engineer, and for adoption of Final Committee Proposal.

Committee on Style and Drafting after adjournment in the Senate Lounge, State Capitol, to consider CP No. 1.

**Thursday:** Committee on Education and Welfare at 6:30 p.m. or immediately after adjournment in Committee Room 5, State Capitol, for consideration of CP No. 7, and CP Nos. 8, 9 and 10.



## REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

August 20, 1973 No. 21

### CONVENTION HIGHLIGHTS...JUDICIARY ARTICLE

The convention reconvened on Wednesday, August 16 for debate and deliberation on the judiciary article prepared by the Committee on the Judiciary.

A synopsis of the action taken by delegates last week included the reduction of terms for justices of the Supreme Court from 14 to 10 years; appellate judges from 12 to 10 years; and the district judges in Orleans were put on an equal-term basis with the rest of the state. Judges in Orleans under the old constitution serve 12-year terms, and the convention voted to cut those terms in half to have the judges serve six years as other judges throughout the state now do.

Another significant change in the proposal which gained the approval of committee members is that the Supreme Court will fill vacancies in judge's offices until an election is held to fill the unexpired term. Under the proposal the governor must call an election within six months to fill the vacancy. The interim appointee is not eligible to run for office when it comes up for reelection.

One of the most heated issues to come before the delegates since they began deliberations on July 5 was that of judicial retirement, and proponents of the measure saw it go down to a narrow defeat on Saturday. Acting Chairman Chris Roy of Alexandria had to cast the tie-breaking vote to exclude that provision from the new constitution. Delegates voted 58-57 to remove judicial retirement from the proposal.

The retirement issue will again be reconsidered by delegates when they return to Baton Rouge on Wednesday, August 22. Other amendments to the retirement section will have to be considered. Another tie vote is expected on the issue after all the amendments are considered. The retirement section of the article must then be approved by a majority of all convention delegates which is 67 votes.

Another concept which the delegates approved in last week's action was to go along with the committee recommendation that the judges elect their chief judge. An amendment had been submitted which would have made the senior judge of each district court the chief judge.

One of the most controversial areas in the judiciary article has yet to be discussed by the convention and that is the section concerning the supervisory power of the attorney general over district attorneys. In a last minute change, the committee voted to eliminate this power from the attorney general unless he can show cause why the attorney general should supersede a district attorney.

State Atty. Gen. William Guste announced over the weekend that he will lobby to retain his present power. The Committee on the Judiciary Thursday deleted all of the power of the attorney general in criminal matters and the right to supervise and, for cause, supersede district attorneys," Guste said in a prepared statement.

Guste said that without these powers his office will be "weakened in its efforts to persuade public officials to repay the state for misusing public property, to conduct its own investigations of public bribery or payroll padding, or to act when a district attorney blatantly ignored a violation of the law."

Supporters of the much-amended article on the executive department sought to have the article pulled from the calendar for a final vote. However, the move was postponed in hopes of trying to reach a compromise on the one section dealing with the elective versus the appointive offices. Delegates were reluctant to stop deliberation on the judiciary article and take up the one on the executive. It would take 67 votes to call the article from the calendar.

A 21-year-old LSU senior, Paula Kilpatrick of Ruston, was sworn in Wednesday morning to replace her father, Sen. K. D. Kilpatrick, who resigned. Sen. Kilpatrick resigned because of the pressing demands made upon him by his business and his duties as a member of the Legislative Budget Committee.

Miss Kilpatrick is an English education major at LSU with a minor in journalism. She needs 17 hours more for her work, but says she doesn't know if she'll be able to continue her studies at LSU this fall because of her responsibilities to her constituents at the convention.

Sen. Kilpatrick was the fourth delegate to resign and said, "I'm for the convention. I'm for the adoption of the constitution."

Other delegates appointed to replace original delegates include: Mayor M. E. "Pete" Heine of Baker for Mayor Tom Colten of Mandeville, Mrs. Charles A. Badaeus of Houma to replace her husband, and Robert Pugh of Shreveport for Rep. Richard Guiray of Galliano.

# REPORTER

Official Record of  
PUBLIC INFORMATION COMMITTEE

August 26, 1973 Vol. 22

## THE WEEK THAT WAS

The convention week of August 22-24 was a week of accomplishments after much debate and "Henry's siddles" as delegates thrashed out their differences on the judiciary and executive articles. Delegates agreed to a compromise on the executive article, but not without a lot of heated discussion and numerous heretofore unheard from faces appearing at the microphone over the issue of elective versus appointive offices.

The compromise amendment, co-authored by 10 delegates, passed 71-50 and will allow the legislature with two-thirds vote to change the offices of commissioner of agriculture, commissioner of insurance, commissioner of elections and superintendent of education from elective to appointive and "any such offices, their departments and functions" could be "merged or consolidated with any other office or department in the executive branch."

Tom Staggs of Shreveport, chairman of the Committee on the Executive Department, urged the passage of the amendment "in order to achieve the greater good."

Donald T. Bollinger of Lockport called for rejection of the amendments, because he said they represented a "trap out."

Charles Roemer, III, of Bossier City spoke against the compromise saying that farmers "will regret the day this ever took place. Let's let the people decide. Let's make it an alternate."

## LETTER CIRCULATED

The amendment also received a boost when a letter was distributed to delegates from James Bragard, president of the Louisiana Farm Bureau, stating that the board of directors withdrew its objection to the inclusion of the commissioner of agriculture.

Final adoption of the executive article garnered 82 yeas and 38 nays.

## PLAISE AND PLIAS

Delegates to the Convention had an unannounced visitor to the gallery on Wednesday, Rep. Edwin L. Edwards, and one expected visitor, Atty. Gen. William Guste. The Governor visited quietly with delegates while Gen. Guste appeared before the members when they dissolved into a session of the whole. The attorney general urged delegates to retain his authority over local district attorneys. He was concerned over a provision in the judiciary article which would remove certain constitutional powers he now exercises over local criminal matters. Guste said the committee's proposal would prevent him from superceding incompetent or corrupt district attorneys, and from investigating organized crime, labor racketeering and public corruption cases at the local level.

Also appearing before the committee of the whole session was Ed Kure of Alexandria, president of the District Attorneys' Association, who pleaded with the delegates to adopt the committee proposal. He said, "You don't have a super sheriff. You don't have a super assessor. Why do we need a super attorney general?"

Final approval was given to the committee's proposal with the stipulation that the attorney general would be allowed to supercede local district attorneys only after first proving before a local court the need for such action.

## HERE COME DE JUDGE

In this case, it was judges who came out in force on Wednesday to lobby the convention to adopt the committee proposal setting up a judge's retirement system. The convention finally approved the section with the delegates had voted on an amendment by Camille Gravel of Alexandria to leave it to the legislature to devise a retirement system for those who sat on the bench. The convention finally approved the section with an amendment by Gordon Kean of Baton Rouge specifying that judges will not contribute a part of their salaries of prior years in order to join the system.

Debate was sparked between Gravel and District Judge James L. Dennis of Monroe, chairman of the Committee on the Judiciary, over an amendment offered by Thomas Velazquez of New Orleans which tracked the earlier-approved Gravel amendment. Velazquez offered his amendment after Kean's earlier approval. Dennis said that adoption of the Kean amendment settled the controversy over the issue. "I object to both the amendment (Velazquez's) and the tactics displayed by it," Dennis stated, and he accused Gravel of being the "silent author" of the amendment.

Gravel objected and explained that the amendment was drafted Friday and sent to delegates on Saturday. He pointed out that the Velazquez amendment was different from his and took Dennis to task for not recognizing the differences.

## A FIRST OF ITS KIND

On Friday delegates for the first time adopted an amendment providing a special exception in the new constitution for a local area—Orleans Parish.

The judiciary committee had a section in its article setting up the office of sheriff in each parish and outlining their duties.

On a vote of 104-15 delegates approved an amendment to specify that the section "shall not apply to the parish of Orleans."

Orleans Parish has two sheriffs, a criminal sheriff and a civil sheriff, and also a department of revenue which collects taxes in the parish.

Rep. Tom Casey of New Orleans offered the amendment along with others from Orleans and the three sheriff delegates to the convention Jessel Ourso of Iberville Parish, Frank Edwards of Tangipahoa Parish and Gordon Martin of St. James. "We absolutely must except the parish of Orleans," Casey said, pointing out that under the New Orleans home rule charter there are the two sheriffs, and the responsibility for law enforcement is handled by a superintendent of police.

Delegate Elmer Tapper of Arabi said that if Orleans was not excepted "you will have defeated the constitution."

## FINALLY...

The members of the Convention's Committee on Revenue, Finance and Taxation finally approved the plan set forth by the assessors on a vote of 127-10. In announcing the time and place of the meeting, Sen. S. B. "Stacy" Bayrou of Bogalusa, chairman of the committee, said, "We're going to decide on this thing one way or the other tonight."

Under the adopted plan, homestead exemptions will go up from \$2,000 to \$5,000 and to \$6,000 for veterans and those over 65 years of age. Taxation rates will be set at five percent of actual value for land, 10 percent for actual value for homes and 15 percent for other kinds of property.

Opposition to opponents to the assessor's plan, Herman "Monday" Lowe of Port Allen said, "We'll get another shot at it. I think all of us feel that way." Bayrou and other shot at it, and we're just letting it out to get it settled."

## IT WAS A HAMMER

When the Committee on Bill of Rights and Elections received a letter at their public hearings meeting last Tuesday when Delegate John Thistlethwaite of Opelousas, who is not a committee member, appeared and said he was going to try to get amendments to the committee proposal which would gut the article. He said his amendments would delete a number of the sections and change the wording of others. In effect, the amendments would scrap the preamble and declaration rights.

After speaking less than a joyous reaction from the committee, Thistlethwaite was told by Attorney Guisard of Morgan City, "I take it you represent some insidious group of delegates. I find it an affront to me, originally, and to this committee." Rep. Alphonse Jackson of Shreveport, chairman, said the committee was not affronted but that the amendments should be submitted to the convention and not the committee. At this point, Thistlethwaite said he only wanted to be fair and let the committee know what he was going to do.

The most significant change made by the committee to its proposal which was put up this week for consideration by the convention include: 1. language was deleted in the freedom of commerce section which would have prohibited Sunday closing laws; 2. amended the section on right to dignity to apply also to the elderly and handicapped; and 3. added language in its right to humane treatment section to prohibit euthanasia (Mercy Killing).

## HARDING, 'FITTING,' 'RHYTHMIC'

The Committee on Education and Welfare completed its proposal concerning education on Wednesday after adopting a final amendment from Perry Serrano of New Orleans with a 106-4 vote.

Several members appeared concerned that the amendment would "open the door" for the legislature to pass whatever it wishes to aid non-public schools.

The committee will consider the proposal again this week with amendments and then the members will be asked to present the plan to the convention.

Implementation of state civil service was a key item discussed by the delegates and city civil service systems will be discussed last.

Delegate proposals by Kenneth Leithman of Gretna and Patrick Jeneau of Lafayette, both short statements on governing education, were reported unfavorably by the committee.

## WHERE TO WORK, CHAIRMAN

The Committee on the Executive Department was stymied Wednesday on how to go about forcing the legislature to reorganize state government under provisions of the new constitution.

Action was deferred on the matter until the next meeting in hopes of finding a solution to the problem.

The crux of the problem is that responsibility for reorganization of state government was not given to more than 20 departments has been assigned to the legislature, and if it fails to do so within a certain time, then the governor could then issue an executive order assigning existing agencies to one of the 20 departments.

"If you allow him (the governor) just to group under department heads, you've done nothing," according to Greg Arnette of Jennings. "My problem is seeing how we can force the legislature to do it," said Moise Denery of New Orleans. "The governor can't do it."

#### IN A LIGHTER MOMENT

A bouquet of red roses was sent to Supreme Court Justice Albert Tate of Ville Platte last Friday. The other Supreme Court justices sent him with instructions to "please place these on the tomb of our 14-year terms." The attached card added, "Be assured your efforts will always be remembered." The convention last week reduced justices' terms from 14 years to 10.

#### ANOTHER NEW FACE

Paul K. Goldman of Monroe took the oath of office last week replacing Rep. Risley "Fuzzy" Triche of Hopedenville who resigned. Goldman is executive vice president and general manager of KNOX-TV. His appointment to the one from North Louisiana to replace resigning delegates. Others are Robert Pugh of Shreveport to replace Rep. Richard Gough of Galliano and Paula Kilpatrick of Ruston to replace her father K. B. Kilpatrick.

Triche resigned because of his "business obligations" and his duties as a state representative.

Speaking for the committee plan and against the Perez amendment, Chairman Jackson said, "Are we so steeped in yesterdays that we can't see a bright future and dream of a better day?"

#### AMIDST THE SOUND AND FURY—A BOMBHELL

Delegates were taken unawares on Thursday while they were talking the right to property section of the proposal. The bombshell was set off by Lawrence Chelardy, Jefferson Parish tax assessor, and Frank Palco of Shreveport in the form of an amendment to completely do away with property taxes on homes. The Convention then went through several rounds of action on motions to allow Chelardy additional time to speak. Under Convention rules, each delegate is allowed five minutes to speak.

Chelardy said that taxation throughout America "has ravished every home owner" except in Louisiana where he said his efforts have prevented a less unreasonable taxation of homes.

Palco said that "homes never have been revenue-producing items" and that the fore should not be taxed.

"It's like opposing motherhood, country and apple pie, but it's opposed to this amendment," Jasper F. Smith of Vivian said.

A lengthy list of delegates asked to speak with numbers of them wanting to know if this amendment wouldn't more properly belong in the Revenue, Finance and Taxation proposal.

#### SIMILAR PLAN

A similar plan has been adopted by the Committee on Revenue, Finance and Taxation proposed by the state's assessors which would in effect exempt every home in the state valued at up to \$50,000 from taxes.

Chelardy and Palco withdrew the amendment before final action could be taken.

#### WOMEN'S LIB OR EQUAL PROTECTION FOR ALL?

One of the most highly controversial sections to be discussed was the one on Right to Individual Dignity or what is commonly bandied around by women's rights groups as ERA. The delegates had become entangled on Tuesday while discussing this area, but on Wednesday morning they quickly agreed 100-6 to a compromise amendment by Moise Denery of New Orleans which had the committee's approval.

The compromise reads:

"No person shall be denied equal protection of the law. No law shall discriminate against a person on account of race or religious ideas, religious beliefs, or religious affiliations. No law shall arbitrarily, capriciously, or unreasonably discriminate against any person on the basis of birth, age, sex, culture, physical condition, political ideas or racial characteristics. Slavery and involuntary servitude are prohibited, except in the latter case as a punishment for crime."

# 70 REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

September 4, 1973 No. 23

#### IT WAS AN UNUSUAL WEEK....THIS WEEK PAST

And well-reasoned oratory and sometimes flaming debate, delegates to the Constitutional Convention last week gave final approval to the proposed Bill of Rights and Elections article. The 15 sections of the proposal submitted by the Committee on Bill of Rights and Elections. In addition to the Preamble, delegates approved the sections on origin and purpose of government, due process of law, right to individual dignity, right to property, right to privacy and freedom from intrusion.

#### DEBATE ERUPTS

Final debate on the judiciary article centered around the jurisdiction of juvenile and family court judges with delegates agreeing to leave it up to the legislature to spell it out. However, they stipulated that juveniles 15 years old and older will be tried in the district courts for serious felonies. The convention also adopted a plan to give city and family court judges the same terms as the district judges—six years.

Before final approval was given to the entire article, however, several delegates became embroiled in heated debate over a section approved the week before on allowing attorneys accompany their clients into grand jury rooms.

Referring to the district attorneys, Wellborn Jack of Shreveport said, "If this amendment stays in this constitution, we are going to be beset by opposition from one of the strongest lobbies Louisiana ever had." He explained that district attorneys felt the section would impede justice.

Jackson Burson of Eunice, an assistant district attorney, warned that this section "would quickly bankrupt local governments."

However, Camille Gravel of Alexandria defended the section. "I'm proud I voted to let those witnesses who are now hauled before the grand jury and are not given the opportunity to get assistance for counsel."

Final adoption of the article was given on a 98-6 vote. Passage of the judiciary article has set forth the provisions establishing the three branches of state government.

#### LATER THAT SAME NIGHT...

Delegates were treated to a different presentation on the introduction of the Bill of Rights and Elections proposal at several committee members, led by Chairman Alexander Jackson of Shreveport, set forth the committee's aim in writing the article as they did and urged adoption of the proposal as written.

Jackson said the Preamble was a "philosophical speech" which "sets the tone" for the entire Constitution. The preamble embraces a philosophy of individual rights as opposed to the "common good" concept held by some delegates who spoke against the committee proposal. However, delegates apparently felt as the committee did as they voted 87-13 for approval.

In speaking for the proposal, committee member Louis "Woody" Jenkins of Baton Rouge, said, "A bill of rights is what regulates and controls government."

John Thistlethwaite of Opelousas proposed the first alternate to the committee's preamble. He said his amendment would provide "a complete and accurate statement of the Committee's purpose in establishing a new constitution. However, his plan was rejected 4 to 1.

#### WORD FOR WORD

Another proposed preamble was offered by Cholin here, of Breauxville who stated he did not like the inclusion of specifics in the committee's plan. His plan was a verbatim repeat of the one in the 1921 Constitution. "You are playing with danger if you ask the committee's preamble which could be interpreted to mean almost anything," Porco said.

The family, juvenile and juvenile court judges' jurisdiction was also a hotly debated issue. Some delegates wanted to leave it up to the legislature to spell it out. However, they stipulated that juveniles 15 years old and older will be tried in the district courts for serious felonies.

Referring to the district attorneys, Wellborn Jack of Shreveport said, "If this amendment stays in this constitution, we are going to be beset by opposition from one of the strongest lobbies Louisiana ever had." He explained that district attorneys felt the section would impede justice.

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Final adoption of the article was given on a 98-6 vote. Passage of the judiciary article has set forth the provisions establishing the three branches of state government.

#### STRIKE RIGHT TO PRIVACY ARTICLE

Citizens will be protected from unreasonable searches, seizures, and invasions of property, unless it is shown that it is justified by law. If it is shown that it is not justified by law, the search or seizure is unlawful and the evidence obtained is inadmissible in court.

It is the policy of this state to protect the privacy of its citizens. Any law which is inconsistent with this policy is hereby declared null and void.

The government shall protect the privacy of its citizens. Any law which is inconsistent with this policy is hereby declared null and void.

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THE TIMES-PICAYUNE, NEW ORLEANS, LA.  
SUNDAY MORNING, AUGUST 19, 1973

## Louisiana Capital Report

## Elect or Appoint, That Is Question

(Times-Picayune Staff Correspondent)

Delegates on both sides got pretty emotional about it. To those of us somewhat removed, Gov. Edwards in this instance seems to be right. The governor warned advocates of an elective commission; of agriculture they are boxing themselves in and may get more than they bargain for.

Ergo, there is a great deal of truth that farmers may be setting themselves up for the next election for an urban revolt that will install a consumer-minded commission of administration. Who would not like to see a farmer interested in the welfare of the city? Or may know the truth.

At the same time, however, it has been pointed out that the Milk Commission, says Lanté Woman of Winnebago, told this reporter days before the vote was taken that he personally supported an



HARGRODER

Mr. J. J. C. asked a nod vote. The motion was when the convention ruled it down that the committee was to be elected, he was not present.

THAT'S ONE way to handle a hot issue but in the meantime other delegates were butting heads on the floor, in the lobby and in committees. It left one bloodied head.

It left some scars, too, on a Jewish minority in the committee on the executive department who resented the majority after they found themselves on the prevailing side on the convention floor.

[illegible]

## REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

September 10, 1973 No. 24

IT WAS THE WEEK...

That was full of exasperation and confusion, shattered dreams, increasing pressures and one in which tempers flared, but in spite of it all delegates did adopt 11 more sections of the Bill of Rights and Elections proposal.

The convention had been scheduled to take up section 7 of the article, "Freedom from Discrimination," but the committee on Wednesday morning decided to delete the section for the present.

## THE ISSUE

The crux of the problem with the highly controversial section stems from the numerous floor amendments added to the section. Committee members felt that the section had been loaded down with material submitted by opponents in order to defeat it. Committee member Chris Roy of Alexandria said the foes of the section decided on the strategy, "If you can't kill it, make it look ludicrous and kill it."

Another committee member, Mrs. Novyse Soniat of New Orleans had originally held out for continuing the fight to gain approval of the section, but she finally relented.

"Although I feel strongly about the section, I would be willing to withdraw it with the full understanding that we will come back and hold hearings to reintroduce it," she said.

Another section, "Trial By Jury in Civil Cases," was deleted but this omission, unlike the "anti-discrimination" section, was opposed by the committee.

## QUOTABLE QUOTES

One of the most quotable quotes of the convention was spoken by James George Derbes of New Orleans when he rose to oppose an amendment by Edward D'Gerolamo of Kenner on the "Freedom of Expression" section.

In essence, D'Gerolamo's amendment would have allowed "an equal opportunity to reply" to any person whose "character is assailed."

Derbes said of the amendment, "This is not a can of worms or snakes, but it is a dinosaur." He went on to say that if the convention approved the amendment it would have a "chilling effect" on freedom of speech and freedom of the press. He explained that the amendment would "handicap them (the press) in dissemination of news."

Saying the amendment was "absurd," Moise Denney of New Orleans, explained that the amendment was a "clear violation" of freedom of speech and press as set forth in the federal constitution.

The D'Gerolamo amendment failed 77-30.

TRIED AND TRUE

The convention approved two amendments which would have deleted the committee language, one offered by Jack Burson of Eunice and another by Camille Gravel of Alexandria. However, final action by delegates deleted both those amendments in favor of one by Harmon Drew of Minden which closely tracks the language in the 1921 constitution.

On 19-20-21/05 delegates approved the following language.

"No law shall ever be passed to curtail or restrain the liberty of speech in the press; any person may speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty."

The consensus of the delegates was that the old law had been tried out in the 1960's and had served the state well while the committee proposal was labeled "too experimental."

## OTHER VOICES

Commenting on the committee proposal, Wellborn Jack of Shreveport said it would "legalize character assassination" and lead to "pornographic pollution."

Both the La. Press Ass'n. and the La. Broadcaster's Ass'n. had endorsed the committee article, but John Thistlethwaite of Opelousas, former newspaper publisher said the associations were "wrong" in their actions, and he supported opposing the proposal as submitted.

Phillip Vick of Baton Rouge, an assistant attorney general, supported the committee, because it provided "ample protection for both the press and the public." He went on to say, "I recognize that public officials are very sensitive where the press is concerned." While he said there is "sometimes justification for this, the committee proposal would 'allow a civil recovery of damages where defamation or libel were concerned.'"

## THE LITTLE BROWN CHURCH IN THE DALE

During the "Freedom of Religion" session for the committee, Dr. Gerald  
Wicks at Lake Charles noted it was "like an oasis in the desert." And,  
it was! There was no debate nor any amendments to be considered and the  
session was okayed 104-0.

【注】 当社の通称は「エス」

"No law shall be enacted respecting the establishment of religion or prohibiting the free exercise thereof."

# BUT THEN...ALONG CAME

The sections on "Freedom of Assembly and Movement" and "Rights of the Accused," neither of which fared as well.

Greg Arnette, Jr., of Jennings authored an amendment which took out the section regarding freedom of movement to leave the section reading: "No law shall impair the right of every person to assemble peaceably or to petition government for a redress of grievances."

## TIDIOUSLY DEBATED

Jack Barson of Eunice brought about most of the flack caused during discussion of the "Rights of the Accused." He offered an amendment changing the word "precisely" in the section to "reasonably."

In explaining his amendment, he said something was "welling up inside me," because the committee on the Bill of Rights was making a line of ten "radical changes" enhancing the rights of the criminal defendants. He brought race into the fracas when he said some people consider "criminal rights as minority rights."

## EXCEPTION TAKEN

Committee chairman, Rep. Alphonse Jackson of Shreveport protested Barson's remarks, and the chair directed him to stick to the subject.

Rep. Jackson also took the floor to tell delegates that one of the problems facing the nation is "the law and order syndrome." He added, "Law and order in my district is a code word for the police to do whatever they want to against people who are powerless...Someday are later they are going to knock on your door, and you'll know what law and order is in this country."

Barson said the wording would be applied mainly to those guilty of crimes, because "sheriffs and DA's don't go around arresting people who are not guilty of something." He added that "the state is a century of litigation do not want the Convention 'doing everything we can to allow criminals to go around free.'"

Charles E. Roemer III of Bossier City took exception to Barson's remark, pointing out that the proposal was not talking about criminals but persons who had been accused of crime. "We'll spend a century of litigation with a word like 'reasonable,'" Roemer said.

Also opposing the Barson amendment was Chris Roy of Alexandria who said, "We have given district attorneys what they need to prosecute people. We don't have to give them an innocent victim."

The Barson amendment passed 57-52.

## AN ADDITION

John Avant of Baton Rouge gained approval of his amendment 66-47 which adds to the section:

"No person shall be subjected to imprisonment or forfeiture of his rights or property without the right of judicial review based upon a complete record of all evidence upon which such judgment is based. This right may be intelligently waived."

## ANOTHER SIDE OF THE COIN

Camille Gravel of Alexandria also offered an amendment which would have substituted the words "informed, with particularity" to the Barson amendment.

At this point he and Barson got into a heated exchange. Gravel champions the cause of criminal defense attorneys while Barson staunchly watchdogs the district attorneys' interest. Gravel said "this bill of rights is not a prosecutor's manual." He added that he wanted district attorneys to have to provide a "full and fair statement of facts upon which the charge is made." Gravel lost his attempt on a 62-55 vote.

## RETAKE

On Friday the convention reversed itself on the Barson amendment and decided to leave out the adjective completely. Angry debate was sparked on Thursday over the degree to which information had to be provided to the accused.

As finally approved, the proposal provides that the accused "shall be informed of the nature and cause of the accusation against him."

## UNIFORM PLAN MANDATE

Thomas Velasquez and Johnny Jackson, both of New Orleans, offered an amendment which the Convention approved 99-11 mandating the legislature to adopt a uniform system of providing counsel for criminal defendants who cannot afford an attorney.

Several systems are presently in existence in the state to provide counsel for indigents.

Stan Duval of Houma said the mandate would in the future result in a uniform system of public defenders statewide. This system, he said, "is the only way indigents will be adequately represented."

## A RARE OCCURRENCE

In a rare display of unanimity, delegates Saturday quickly worked out compromises and adopted two sections dealing with trial by jury in criminal cases and the right to bail.

The section on trial by jury in criminal cases makes several changes in existing law. It provides that in criminal cases where punishment may be death it must be tried before a jury of 12 persons who must unanimously find the defendant guilty. Where the punishment is confinement at hard labor, ten of the 12 jurors must concur on the verdict. Presently, the law requires only nine concurrences.

Another change is a jury composed of six persons. Under the proposal five of the six must concur. Under present law, all six members of the jury must concur in order to render a verdict.

## RIGHT TO BAIL

As approved by the convention, rights to bail would allow a person convicted on trial to be granted bail for the maximum sentence which could be imposed is less than five years. If over five years, bail would be at the discretion of the judge.

There was little discussion on either of the two sections, and the compromises were approved by large majorities.

## EUTHANASIA BANNED

During the discussion on the committee's "Right to Humane Treatment" section, Mrs. Baida Burt of Houma, a native of Germany who witnessed the rise of the Nazis and became a naturalized citizen, implored, "I especially ask you not to remove euthanasia" from the section prohibiting euthanasia and other forms of punishment.

Debate was centered over concerns that the prohibition might keep a physician from halting treatment of a dying patient.

Dr. Gerald Weiss of Lake Charles said, "Euthanasia is confused with the right to die. Millions have been murdered in the name of mercy."

Mary Servino of New Orleans successfully offered an amendment to have the term left out, but Dr. Weiss counter-offered an amendment which clarified the language and put the word back in.

## The provision now reads:

"No law shall subject any person to euthanasia, torture, cruel, excessive, or unusual treatment."

Delegates also agreed to the following statement, also under humane treatment: "Full rights of citizenship shall be restored upon termination of state and federal supervision following conviction for any offense."

Chris Roy of Alexandria said the section puts pardon in the constitution "rather than in the hands of the governor."

## RIGHT TO VOTE

The Convention also guaranteed 18-year-olds the right to vote by stating "every citizen of the state, upon reaching 18 years of age, shall have the right to register and vote..."

## HOW LONG, OH HOW LONG???

Convention Chairman E. L. Henry of Jonesboro chastised delegates last week and took them to task for considering taking a week off from the convention. "If you don't want to stay, there's the door over there. Just go home," he said. "Let the rest of us who want to write a constitution go on with our work."

He said he gets "extremely disgusted from time to time" with the progress being made.

"About 10 percent of the delegates have been doing all the talking, and less than that have been doing all the thinking," the chairman commented.

"We've got too much work to do to take off." Henry said.

Several times during deliberations last week, the chairman plaintively uttered with eyes turned heavenward, "How long? Oh, how long?"

Beginning next week Henry said the Convention will meet Tuesday through Saturday, because of the enormous workload still ahead and time running out.

## THINGS HAVEN'T CHANGED MUCH DEPARTMENT

"It's a matter both of wonder and regret, that those who raise so many objections against the new Constitution should never call to mind the defects of that which is to be exchanged for it...No man would refuse to quit a shattered and tottering habitation for a firm and commodious building, because the latter had not a porch to it, or because some of the rooms might be a little larger or smaller, or the ceiling a little higher or lower than his fancy would have planned them...It is not manifest that most of the objections urged against the new system lie with tenfold weight against the existing [one]."

Henry said, "Today in Louisiana, nearly two centuries later, Mr. Madison's words are equally valid in considering our existing state constitution and the new constitution with which we hope to replace it."

Chairman Henry, quoting James Madison, "Father of the U. S. Constitution," before Lake Charles Kiwanis Club.

## WELCOME ABOARD

The Convention has three new delegates. They are Charles Wattigny of Metairie, replacing Milton Amador; Louis Berry of Baton Rouge replacing Rep. Dorothy Mac Taylor of New Orleans; and Emile Comar of New Orleans, replacing Rep. Edward LeBreton.

## HAPPY TO SEE...

Harvey Cannon of Baton Rouge has returned to the Convention floor after convalescing from a heart attack.



Official Newsletter of  
THE CONSTITUTIONAL CONVENTION

September 17, 1973 Nov. 25

## THE WEEK THAT WAS

The Constitutional Convention reached the halfway mark in its deliberations on the articles setting up the basic structure of state government with the adoption of its fourth proposal--the Declaration of Rights. This proposal is significantly different from those the state has had in the past, because it places emphasis on individual rights as opposed to "the common good" of previous years.

# FINAL DECISION

Delegates voted 88-28 to approve the entire article on Friday. This article has been the most controversial one to come up for consideration to date, and it sparked some of the liveliest debate and oratory of the Convention.

## QUICK ACTION

Delegates approved three sections to the proposal when the Convention opened on Wednesday morning—Right to Keep and Bear Arms, Writ of Habeas Corpus and Access to Courts.

## ONE HOUSE DIVIDED

The consensus of the delegates on the arms issue was that citizens of the state should have the right to have arms; however, most of the discussion on this section centered over whether guns should or should not be registered.

One Orleans delegate said that without registration the present New Orleans law requiring registration of handguns would be nullified. A Baton Rouge delegate, speaking against registration, said, "Our people in this country have three great protections to our freedom: the jury box, the ballot box and the cartridge box."

As finally resolved on a 100-3 vote, the section reads: "The right of each citizen to keep and bear arms shall not be abridged, but this provision shall not prevent the passage of laws to prohibit the carrying of weapons concealed on the person."

## WITHOUT OBJECTION

Without objection, delegates approved 106-0 the one-sentence section which reads: "The writ of habeas corpus shall not be suspended."

## MINOR CHANGE

The section on access to courts was amended slightly but continues to provide that courts shall be open to all with every person having an adequate remedy by due process of law "without denial, partiality, or unreasonable delay for injury."

## FACE PICKS UP

On Thursday, delegates expeditiously moved through and adopted the committee's proposals setting out prohibited laws and unenumerated rights with large majorities.

## CONTROVERSY NIXED

One of the most controversial sections of the proposed 25-section article, "Freedom of Commerce," was amended out. An amendment with 70 co-authors entirely deleted the provision. It had been predicted that this section would tie up the Convention in debate, but it was quickly rejected.

Another controversial area, the one dealing with property rights, was re-introduced and a compromise agreed to. Instead of requiring that any expropriation be for a "public and necessary" purpose as the original proposal did, the compromise amendment requires that the necessity be shown only when the expropriation is for a private entity such as a pipeline or utility.

## ONE MORE TIME

The Convention approved 79-16 with little discussion an amendment to the proposal concerning "Freedom from Discrimination." The committee had originally had such a section in its proposal but withdrew it after it ran into opposition on the floor and was extensively amended.

As adopted the section now reads:

"In access to public areas, accommodations and facilities every person shall have the right to be free from discrimination based on race, religion or national ancestry and from arbitrary, capricious or unreasonable discrimination based on age, sex or physical condition."

## AN ADDITION

On Friday, one section was added to the proposal which provides guarantees to a preliminary examination in felony cases where the accused has not been indicted by a grand jury.

However, delegates rejected other attempts to add extra sections to the proposal.

## FAIR-REACHING COUNSEL

On Saturday, delegates were to have begun deliberation on the 51-section proposal dealing with local and parochial governments. However, the committee on the Executive Department introduced a proposal to change the present code of ethics to include local officials. The committee proposal was never voted upon, but a plan, introduced by a Lake Charles delegate was introduced and approved.

On a 100-14 vote, the Convention overcame the objections of home rule advocates and brought local government officials and employees under the plan, the legislature is charged with enacting a code which will be administered "by a board or boards of ethics created by the legislature..."

## THIS WEEK

The Convention goes back into session at 9 a.m. Wednesday to discuss the powers and functions of local and parochial governments.

This proposal will replace nearly 200 sections contained in nine different articles of the present constitution. The 51-section proposal reduces some 150 pages of material on local government contained in the 1921 version to 28 pages.

Patrick A. Juneau, Jr., of Lafayette, chairman of the Convention's Public Information Committee, released the following information on the statistics on the first three articles. He also delivered these facts in a speech before the Convention on Wednesday, September 12.

We've been through some tumultuous times together since the convention went into full session on July 5. During this time of deliberation and debate, we've all had moments of discouragement and worry over whether we're doing a good job here in Baton Rouge.

Let me give you some interesting statistics on what we've accomplished. It's guaranteed to bolster your spirits, and it will also assure you that we are moving in the right direction and accomplishing what the people of this state sent us here to do.

A review of the first articles adopted by this body shows us that in the present constitution the number of words on the legislative branch totals 22,171 while the article we adopted contains approximately 4,014 words—that's roughly one-third of the verbiage of the old document. In the 1921 version of the executive article, a total of 12,910 words were used, but our executive article represents about 2,531 words, or one-sixth the number used in 1921. It took approximately 1,000 words to cover the judiciary article which we adopted, but the present constitution contains 20,000 words on the same subject or ten times as many as we have in the new article.

The total words in the three articles in the old constitution is 55,081 as compared to 9,531 in the same three articles approved by this body.

This represents an 82% (percent) reduction in words alone in just these first articles!

The 1921 document has 599 sections contained within 21 articles. The document we're working on will contain approximately 8 articles with 207 sections.

We are more than halfway through the bill of rights and elections proposal, and when we complete the article we will have reached the halfway mark of the work to be done by the convention. If each article from here on out contained, say 1,000 words, it still wouldn't compare to the 255,458 words used to cover the same subject matter in the old constitution.

The figures speak for themselves, and there's really nothing I can add except to tell you that we have made the right kind of progress in trying to come up with a more manageable document which is brief and concise and one which the average citizen can pick up and read without difficulty.

These statistics are a credit also to our hardworking staff which has spent a total of 49,458 person hours working on this constitution—7,628 of these hours or 154 were worked over their regular work week time. They deserve our praise and our gratitude for helping us as they have.



CONSTITUTIONAL CONVENTION  
FINANCIAL CONDITION 8/31/73

	Estimated Budget	Prior Expenditures	August Expenditures	Outstanding Obligations	Total Exp. & Oblig	Balance
<b>Expenses</b>						
Salaries:						
Research	605,000.00	225,986.68	47,205.05	284.92 (1)	273,476.65	331,523.35
Clerk's Office	141,000.00	21,421.66	15,724.81		37,146.47	103,853.53
Finance	16,000.00	5,310.00	1,315.42		6,625.42	9,374.58
Public Information	40,000.00	9,637.99	3,876.98		13,514.97	26,485.03
<b>Total:</b>	<b>802,000.00</b>	<b>262,356.33</b>	<b>68,122.26</b>	<b>284.92</b>	<b>330,763.51</b>	<b>471,236.49</b>
<b>Employer's Fringe Benefit Share:</b>						
Teachers' Retirement	3,000.00	1,073.03	470.77		1,543.80	1,456.20
State Retirement	45,550.00	9,615.10	3,667.67	3,907.19	17,189.96	28,360.04
F.I.C.A.	2,000.00	460.90		634.00	1,094.90	905.10
Group Hospitalization	3,300.00	1,086.32	356.20		1,442.52	1,857.48
Group Life	1,300.00	294.55	112.55		407.10	892.90
Workmen's Compensation	2,500.00			2,500.00 (2)	2,500.00	
<b>Total:</b>	<b>57,650.00</b>	<b>12,529.90</b>	<b>4,607.19</b>	<b>7,041.19</b>	<b>24,178.28</b>	<b>33,471.72</b>
<b>Other Expenses:</b>						
Wages - per diem	120,000.00	25,100.00	23,705.00		48,805.00	71,195.00
Delegate - per diem	1,020,000.00	177,100.00	79,280.07	111,315.40	367,695.47	652,304.53
Meeting Expense	178,000.00	25,482.71	5,760.00	4,224.00 (3)	35,466.71	142,533.29
Postage	10,000.00	4,668.78	235.86		4,924.64	5,075.36
Printing	3,308.16	3,308.16	1,050.90	309.51	4,668.57	5,331.43
Daily Journal	490,800.00	2,888.76	9,321.02	8,663.20	20,872.98	469,927.02
Equipment Rental	120,000.00	23,627.61	11,521.30	6,525.54 (4)	41,674.45	78,325.55
Telephones	15,000.00	3,298.45	421.64	6,000.00 (5)	9,720.09	5,279.91
Office Travel	14,000.00	2,504.99	120.76		2,625.75	11,374.25
Office Supplies	60,000.00	11,825.57	5,091.15	1,886.57	18,803.29	41,196.71
Equipment Purchase	1,033.23	1,033.23			1,033.23	
LSU Renovation	11,799.00	11,799.00			11,799.00	
White House Inn Renovation	5,623.81					
<b>Total:</b>	<b>2,915,906.04</b>	<b>567,523.49</b>	<b>214,864.04</b>	<b>146,250.33</b>	<b>928,637.86</b>	<b>1,987,268.18</b>
<b>Contingencies</b>						<b>16.92</b>
<b>GRAND TOTAL:</b>	<b>\$2,940,000.00</b>	<b>567,523.49</b>	<b>214,864.04</b>	<b>146,250.33</b>	<b>928,637.86</b>	<b>\$2,011,362.14</b>

NOTE: See attached sheet for explanation of footnotes 1-5 in outstanding obligation column.

Footnotes

1. Unpaid balance is a difference due to Louisiana State University on Dr. Lee Hargrave's salary of June and July to make his pay raise retroactive.
2. CC/73 does have to cover their state employees under workmens' compensation. Estimate was given through the office of Mr. Paul Pendley of the Insurance Section of the Division of Administration. This is a one time billing, due now, but statement not received yet.
3. \$1,680.00 of this figure is for rental of hall and Treaty room at White House Inn. The balance of \$1,272.00 is for the trooper's rooms and meals, Public Safety has not billed us for any of this expenditure yet.
4. Estimated amount of rental on Xerox machines \$4,059.98  
 " " IBM Equipment 465.36  
 " " Pitney Bowes Postage Machine \$639.74  
 Amount due on rental of equipment to Div. of Administration Surplus \$1,360.26 Total: \$6,525.54
5. Telephone bill only paid through April - billing for May, June, July and August estimated at \$6,000.00.

CONSTITUTIONAL CONVENTION 1973  
Actual Expenditures by Committee  
August 31, 1973

	<u>Prior Expenditures</u>	<u>August Expenditures</u>	<u>Total Expenditures</u>
<b>General Convention:</b>			
Clerk's Office-Salary	21,790.90	15,724.81	37,515.71
Finance-Salary	5,310.00	1,315.42	6,625.42
Staff Travel	81.36		81.36
Equipment Rental	5,500.00	8,622.85	14,122.85
Office Supplies	1,127.89	895.62	2,023.51
Printing	269.00		269.00
Daily Journal	2,888.76	9,321.02	12,209.78
Delegate Per Diem	57,450.00	78,230.07	135,680.07
Meeting Expense	33,090.70	5,760.00	38,850.70
Wages Per Diem	8,665.00	23,705.00	32,370.00
Telephone	94.20		94.20
Postage	64.78		64.78
White House Inn Renovation		5,606.89	5,606.89
	<u>136,332.59</u>	<u>149,181.68</u>	<u>285,514.27</u>
<b>Executive Committee:</b>			
Staff Travel	29.06		29.06
Office Supplies	16.87		16.87
Delegate Per Diem	9,100.00		9,100.00
Meeting Expense	70.00		70.00
Wages Per Diem	<u>1,540.00</u>		<u>1,540.00</u>
	10,755.93		10,755.93
<b>Committee on Committee:</b>			
Delegate Per Diem	1,750.00		1,750.00
Wages Per Diem	<u>400.00</u>		<u>400.00</u>
	2,150.00		2,150.00
<b>Rules Committee:</b>			
Delegate Per Diem	2,400.00		2,400.00
Meeting Expense	<u>209.54</u>		<u>209.54</u>
	2,609.54		2,609.54
<b>Composite Committee:</b>			
Staff Travel	600.87		600.87
Delegate Per Diem	4,350.00		4,350.00
Wages Per Diem	<u>420.00</u>		<u>420.00</u>
	5,370.87		5,370.87
<b>Research:</b>			
Salaries	225,617.44	47,205.05	272,822.49
Staff Travel	477.19	91.08	568.27
Equipment Rental	18,127.61	2,842.45	20,970.06
Office Supplies	10,056.56	3,873.22	13,929.78
Printing	2,688.66	8.82	2,697.48
Postage	3,925.84		3,925.84
Telephone	3,204.25	(15.28)	3,188.97
Equipment Purchase	603.25		603.25
Major Repairs (ISU)	11,799.00		11,799.00
Health Insurance	1,086.32	356.20	1,442.52
Life Insurance	294.55	112.55	407.10
State Retirement	9,615.10	3,667.67	13,282.77
Teachers' Retirement	1,073.03	470.77	1,543.80
FICA	<u>460.90</u>		<u>460.90</u>
	289,029.70	<u>58,612.53</u>	<u>347,642.23</u>

P-1 Committee:			
Delegate Per Diem	850.00	50.00	900.00
Wages Per Diem	<u>30.00</u>		<u>30.00</u>
	880.00	<u>50.00</u>	930.00

P-2 Committee:			
Delegate Per Diem	1,050.00		1,050.00
Wages Per Diem	<u>780.00</u>		<u>780.00</u>
	1,830.00		1,830.00

Expenditures by Committee 8/31/73

P-3 Committee:			
Delegate Per Diem	450.00		450.00
Wages Per Diem	<u>30.00</u>		<u>30.00</u>
	480.00		480.00

P-4 Committee:			
Salaries:	9,607.99	3,876.98	13,484.97
Travel	1,014.55	29.68	1,044.23
Office Supplies	624.25	322.31	946.56
Printing	350.50	1,042.08	1,392.58
Delegate Per Diem	1,200.00		1,200.00
Wages Per Diem	90.00		90.00
Equipment Purchase	429.98		429.98
Postage	678.16	255.86	934.02
Equipment Rental		56.00	56.00
Telephone - Wats line		<u>436.92</u>	<u>436.92</u>
	<u>13,995.43</u>	<u>6,019.83</u>	<u>20,015.26</u>

S-1 Committee:			
Delegate Per Diem	5,850.00		5,850.00
Wages Per Diem	<u>570.00</u>		<u>570.00</u>
	6,420.00		6,420.00

S-2 Committee:			
Delegate Per Diem	10,350.00	800.00	11,150.00
Wages Per Diem	720.00		720.00
Meeting Expense	257.47		257.47
	<u>11,327.47</u>	<u>800.00</u>	<u>12,127.47</u>

S-3 Committee:			
Delegate Per Diem	5,800.00		5,800.00
Wages Per Diem	<u>510.00</u>		<u>510.00</u>
	6,310.00		6,310.00

S-4 Committee:			
Delegate Per Diem	15,200.00		15,200.00
Wages Per Diem	570.00		570.00
Staff Travel	66.56		66.56
	<u>15,836.56</u>		<u>15,836.56</u>

S-5 Committee:			
Delegate Per Diem	16,650.00	100.00	16,750.00
Wages Per Diem	570.00		570.00
Staff Travel	118.74		118.74
	<u>17,338.74</u>	<u>100.00</u>	<u>17,438.74</u>

S-6 Committee:			
Delegate Per Diem	22,050.00	50.00	22,100.00
Wages Per Diem	750.00		750.00
Staff Travel	116.66		116.16
	<u>22,916.66</u>	<u>50.00</u>	<u>22,966.16</u>

## S-7 Committee:

Delegate Per Diem	15,150.00
Wages Per Diem	420.00
	<hr/> 15,570.00

15,150.00
420.00
<hr/> 15,570.00

## S-8 Committee:

Delegate Per Diem	7,950.00
Wages Per Diem	420.00
	<hr/> 8,370.00

50.00	8,000.00
	420.00
	<hr/> 8,420.00

## Grand Total

567,523.49

214,864.04

782,387.03

# REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

September 24, 1973 No. 26

## WHAT A WEEK...THIS WEEK PAST

The Convention week of September 19-22 started off in an unprecedented way when opponents of the strong home rule provision of the proposal by the Committee on Local and Parochial Government tried to have the entire article recommitted to the committee.

Accusations were hurled by both sides of the issue with the "antis" claiming the article would allow the establishment of "kingdoms and fiefdoms" throughout the state. Advocates of strong home rule, however, asked delegates to settle differences on the issue on the convention floor rather than sending it back to committee.

### CONDENSED VERSION

One advocate of the committee proposal pointed out that more than one-third of the present constitution had been assigned to the committee and it had reduced the present 149,810 words dealing with local government in the 1921 Constitution to 7,227 words in the proposal.

The move to recommit was defeated on a narrow 53-56 vote after more than two hours of debate.

### MOVING RIGHT ALONG

Delegates then approved 64-46 an amendment to replace the first four sections of the committee proposal with one brief section, providing for changes in parish laws and parish seats and for the continuation of the existing parishes. The amendment eliminated most of the more specific language and left it up to the legislature to decide the issues.

### MORE DELETIONS

Another amendment won approval which deleted some of the committee language on the section dealing with classification of parishes or municipalities. The stricken language was, "However, no statute which is applicable to fewer than six parishes or municipalities shall become operative in any such parish or municipality until approved by ordinance enacted by the governing authority of the affected parish or municipality."

The author of the amendment said the proposal would result in "fiefdoms," and he felt that no section of the state should have the right to veto what the legislature has done when the legislative action is reasonable.

### PROPOSAL WATERED DOWN

Delegates watered down a section of the committee proposal on the ratification of existing home rule charters and plans of government of parishes and municipalities.

Under the committee proposal local governments would have been autonomous units, but what the delegates finally approved would make the governments responsive to changes proposed in the new constitution. Local governments will still have considerable authority, but their charters will have to be consistent with provisions of the new document. The committee proposal would have allowed the governments to "retain the authority, powers, rights, privileges and immunities granted by its charter" whether in conflict with the new constitution or not.

As adopted, the governments "shall retain the powers, functions and duties in effect" when the constitution is adopted, "except as inconsistent with the provisions" of the constitution.

### A FEATHER IN THE COMMITTEE'S CAP

After all the debate and maneuvering was over, the Committee on Local and Parochial Government was victorious when, on a 69-37 vote, the convention adopted its section on home rule charters.

Under provisions of the section, chartered local governments will be allowed to enact laws not specifically denied them by their charters or by the legislature. The present law provides such governments power only to the extent authorized by the legislature.

Home rule charters now exist in the parishes of East Baton Rouge, Jefferson, Iberville, Plaquemine and the cities of New Orleans, Baton Rouge, Shreveport, Lake Charles, Kenner and Baker. The above-mentioned parishes

and first three cities have constitutional bases while the last three listed cities have legislative charters.

### THIS WEEK

Delegates return at 1 p.m. Tuesday, September 25 to begin deliberation of the remaining 41 sections on local and parochial government. The first section scheduled for debate is the one extending to those governments without charters most of the powers those with charters have.

### COMMITTEE RECAP

The Committee on Education and Welfare tabled until this week a proposal which would leave the creation of the state's educational system up to the legislature. The committee has already sent to the convention floor for action its proposal calling for a four-board system.

Reported out last week by the Committee on Bill of Rights and Elections was the article dealing with elections which is expected to come up immediately after final action is taken on local government. The main changes in the proposal include specific provisions for absentee voting and mandating the legislature to establish a system of permanent registration.

New provisions include a limitation of the new legislatively-created offices for a term of more than four years unless otherwise provided by the constitution, a prohibition against laws prohibiting political participation unless otherwise provided, prohibition against public financing of political campaigns and mandate to legislature to provide for a code of elections.

The Committee on Natural Resources and Environment voted to go against earlier action by the convention and affirm the election of the commissioner of agriculture. The convention had approved a compromise where after 1980 the legislature can decide whether to make certain statewide offices elective or appointive.

In other action, the committee approved with only slight revisions and deletions provisions on tideland mineral reserves, natural resources and environment, the wildlife and fisheries Commission and the Forestry Commission.

A joint meeting was held by the Committee on Local and Parochial Government and the Committee on Revenue, Finance and Taxation to settle differences in the two proposals on property tax. However, the committees did not resolve any of the issues except to reach an agreement on occupational licenses. The debate will apparently have to be settled on the convention floor.



# REPORTER

Official Newsletter of  
PUBLIC INFORMATION COMMITTEE

September 1, 1973 No. 25

## WHAT A WEEK...THIS WEEK PAST

Delegates returned to the convention last week a very tired lot after a long week of debate. The committee on Local and Parochial Government was victorious when, on a 69-37 vote, the convention adopted its section on home rule charters.

Chairman E. L. Bailey, Jr. however took issue with the statement and said that the committee would not "hold still" for a pre-packaged constitution.

Whether in spite of or because of the Governor's remarks, delegates adopted its section on the proposal on Local and Parochial Government, to the effect that the committee will be deliberated in the convention.

### PHOTO REPORT

On Tuesday delegates approved an amendment to the home rule section of the proposal which would allow the incorporation of 30 Louisiana cities which are presently in the East Baton Rouge and in the areas included in the 1974-75 budget. The amendment would prohibit any further incorporation of cities in the state and those which existed when the charter was adopted. The amendment was adopted by a vote of 69-37. The amendment would allow the cities to remain in the state and in the areas included in the 1974-75 budget. The amendment would allow the cities to remain in the state and in the areas included in the 1974-75 budget.

However, the section which contained the amendment failed to receive a simple majority and delegates were urged to take action on a compromise on Wednesday. With the compromise amendment, the section had no trouble being passed.

In the final version approved on Wednesday, Seasideville and other communities in the parish would be allowed to incorporate. However, the provision was silent about allowing new municipalities to include all or part of the Baton Rouge Industrial District within their boundaries.

#### THIRSE MEN IN BLUE

On Friday, delegates thrashed out a section restricting the legislature from raising the salaries of employees of local governments without providing funds for the pay hikes, but they agreed to exempt firemen and policemen from the provision.

The convention had been heavily lobbied by firemen and policemen who felt that they should be able to go to the legislature for redress when local governments failed to compensate them because of their hazardous work and not being able to strike.

#### THEN, ON SATURDAY

Delegates approved two general provisions authorizing the creation of special districts and industrial areas. The section dealing with special districts is a general one which replaces a large amount of more specific material in the present constitution. The 1921 version contained specific authorizations for 28 boards and commissions.

The brief section on industrial areas provides that the legislature may authorize the parishes to create and define such areas within their boundaries. Delegates also adopted an amendment to the section making specific provisions for access to the areas by public roads.

#### PROCEEDINGS

Delegates will continue discussion of deepwater port authorities when the Convention opens at 1:20 p.m. Tuesday. Delegates are expected to complete deliberation on the 28-page, 51-section article this week.

Other areas to be discussed on the proposal include municipal taxation and historical preservation districts.



## REPORTER

Official Journal of  
THE STATE OF LOUISIANA

October 8, 1973, Vol. 24

#### REPLACEMENTS OF FIRST POWER ARTICLES

Adopted by Convention

ART. 1. The "Reporter" is devoted to the publication of each of the first four articles adopted in the Convention—"Legislative Powers," "Judicial and Executive Powers," "Local Government," and "General Provisions." The "Reporter" is published weekly, except on Sundays and public holidays. It is published by the State of Louisiana, and its publication is guaranteed by the State of Louisiana. The "Reporter" is published by the State of Louisiana, and its publication is guaranteed by the State of Louisiana.

#### ART. 2. LEGISLATIVE ORGANIZATION AND COMPOSITION

ART. 2. The legislature shall be composed of a Senate and a House of Representatives with members to be elected from single-member districts. The present 90-day fiscal session will be abolished, and the prohibition against raising new taxes or increasing existing taxes in the 90 days will be retained. The article retained the two-thirds requirement in order to raise taxes. Provisions are made for annual 90-day sessions which must be completed within an 85-day period.

The proposed document lowers the age qualification for both the House and the Senate from 21 and 25 respectively to 18 years, and residency requirements are lowered to two years in the state and one year of actual domicile in the district.

Another significant change is that the proposed article gives the Senate the right to choose its own presiding officer, removing the lieutenant of the executive branch from a position of influence in the law-making process.

Minor independence is allowed the legislature under the proposed article because it is provision allowing it to call itself into special session by a majority of the elected members of both houses.

#### PROCEDURES AND MECHANICS

All bills must be introduced during the session, and any action on them must be taken in open public meetings.

The article continues to require that all bills appropriating money or raising revenue must originate in the House. Appropriations will be for one year instead of the present two years since the legislature will be annually elected. Of course, appropriations can be for less than a year.

Bills passed by both houses no longer need to be signed in open session and delivered immediately to the governor. They are merely signed by the presiding officers and delivered to the governor within three days of passage. Bills introduced after the adjournment of the legislature, within ten days if the legislature is in session or within twenty days if the legislature is adjourned. A bill vetoed by the governor while the legislature is in session must be returned within 12 days of its delivery to him. Two-thirds vote will continue in effect in order to override the governor's veto.

The legislature will meet annually in veto session, at one or more times. Bills are returned before the final adjournment unless a majority of either house indicates no such session is necessary.

The effective date of laws is extended from 20 days after adjournment to 60 days.

#### POWERS AND LIMITATIONS

The immunity of the state from suit in contract and tort is abolished, and the legislature may waive immunity in other types of suits.

The legislature is empowered to provide for continuity of state government in all types of emergencies, and the legislature alone is empowered to suspend laws, but it can only do so in the same manner and by the same vote as required for passage.

Suspensions will no longer be indefinite and can have no effect beyond the effective date of laws following the next regular session. The state and its political subdivisions are prohibited from granting perpetual franchises or privileges, but the legislature is empowered to authorize perpetual or indefinite duration for corporations.

The House is empowered to impeach state and district officers, and the Senate tries them. If convicted upon impeachment, the official is removed from office. Removal of officers at all levels of government by suit or recall election remains in effect.

#### II. EXECUTIVE BRANCH—ELECTIVE OFFICES

There will be nine statewide elective officials—governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education and commissioner of elections. The legislature cannot increase the number of statewide elective offices.

Deletions of statewide elected officers are comptroller, the register of the land office and custodian of public machines. The commission of elections is a newly-created position.

All executive officials will be elected for four-year terms, and all but the governor are permitted unlimited succession in office. The governor is limited to two successive terms.

After 1976 the legislature with a two-thirds vote of its elected members can decide whether to suspend or remove any elected official from office of insurance, agriculture and elections are to be elected or appointed.

#### REORGANIZATION

The executive branch which has more than 250 agencies at the present time will be reorganized according to function, into not more than 20 principal departments. Each elected officer in the executive branch will head up a department, and in most instances, each officer is given constitutional duties.

#### POWERS OF THE GOVERNOR

He is given constitutional authority to prepare operating and capital budgets, and he is required to maintain a balanced state budget.

A five-member pardon board, appointed by the governor with Senate confirmation, will replace the present three-member board.

The governor's executive powers remain such as they presently are with the exception of those specifically mentioned above.

#### LIEUTENANT GOVERNOR

The lieutenant governor becomes an executive officer and is no longer ex-officio president of the Senate. He will serve ex-officio on committees, boards and commissions on which the governor serves and is to have any other power delegated by the governor. He is to succeed to the governorship in the event of a vacancy in that office and is to act during temporary absences of the governor from the state.

#### APPOINTED FIRST ASSISTANTS

All statewide elective officials except the governor and lieutenant governor are to appoint first assistants, subject to Senate confirmation. The first assistant will succeed to the elective offices in the event of a vacancy on one of less than 60 days before the term expires. The same qualifications for office as the elected officials they serve.

#### VACANCIES

If no other means are provided in the constitution, by the legislature or by local governments, the governor will fill vacancies in elective offices when the unexpired term is one year or less. Vacancies of more than one year will be filled by election, including vacancies in statewide elective offices.

#### INABILITY OF EXECUTIVE OFFICERS

An elected official of the executive department can temporarily remove himself from office by voluntarily declaring that he is unable to fill his official duties. By his own declaration that his inability has ceased, he can return to office.

A majority of statewide elective officials can initiate action to declare another elected executive official unable to perform his official duties, but the initial determination, if contested by the official in question, is subject to legislative and judicial review. The official is declared unable to perform his duties if a majority of the officials, instead, his successor acts for him until the supreme court determines that his inability has been removed, and he returns to office.

#### III. JUDICIARY—PROVISIONS

This article reduces the terms of justices of the supreme court from 14 years to 10 years. The article reduces the terms of court of appeal judges from 12 years to 10 years. All terms for judges are for 10 years. Presently, all district judges have 6-year terms except in Orleans where they serve 12 years. Supreme court districts could be changed by a two-thirds vote of the legislature. The present constitution would require a constitutional amendment to change the districts.

The supreme court is given rule-making power insofar as procedural and administrative rules.

Included in the provisions is the stipulation that the chief justice of the supreme court is the chief administrative officer of the state judicial system. It retains the present review of law and fact on the appellate level.





# reporter

October 29, 1973  
No. 30

## THIS WEEK PAST... MONEY AND TAXES

After more than a week of deliberation on property taxation and consideration of several "local option" plans, delegates to the Constitutional Convention adopted a plan which directs the legislature to provide the criteria for determining the value of property for assessment purposes which will be "uniformly applicable throughout the state."

The amendment reads:

"Fair market value and use value of property shall be determined in accor-

dance with criteria which shall be established by the legislature and which shall be uniformly applicable throughout the state."

On a narrow vote of 54-53 delegates also approved a plan to allow the legislature to make provisions for "buildings of historic architectural importance" which will be included in the same category with agricultural land.

## LOCAL OPTION PLAN

Delegates rejected local option plans on the basis that such plans would be confusing, discriminatory and possibly unconstitutional.

Under one "local option" proposal submitted by a coalition of Orleans delegates, the Jefferson Parish assessor and the Louisiana AFL-CIO each assessor would have been allowed to set the percentage of fair market value at which property would be assessed in their parishes, subject only to overriding by a two-thirds vote of the governing body of the parish. The percentage of market value could have varied from 5 to 15 percent on land and residential property and from 10 to 25 percent on other property.

1

## HOMESTEAD EXEMPTION... THE PLAN

Under the amended plan adopted for property assessment and homestead exemption all land and residential improvements will be assessed at 10 percent of fair market value, and all other property at 15 percent of market value. Residential property will be assessed at 10 percent of actual cash value, and a uniform, statewide \$3,000 homestead exemption will cover all non-veterans and those homeowners under 65 years old.

The convention also adopted provisions allowing for the assessment of agricultural, horticultural, timber lands and marshlands at 10 percent of use value rather than fair market value.

Coupled with the \$3,000 homestead exemption provided for in the section, homes



valued at \$30,000 or less would be exempt from parish or school ad valorem taxes. Veterans and those over age 65 are given a \$5,000 homestead exemption which would exempt those homes of \$50,000 from parish and school taxes. The present exemptions are \$2,000 and \$5,000 for veterans with no provisions for the elderly.

The amount of property tax a homeowner pays is based on a formula including homestead exemption, assessment percentage and the millage of the city and parish.

Assessors would have three years after the constitution goes into effect to reevaluate all property in the state, and they are required to revalue property for tax purposes every four years.

## 2

### NON-PROFIT GROUPS CLOSELY STUDIED

The delegates also approved an amendment which would require non-profit organizations owning property leased "or operated commercially for profit" to be subject to ad valorem taxation.

One case in particular which was cited was WWL-TV in New Orleans which is owned by the Jesuit Order and uses its profits to help support Jesuit affiliated Loyola University. It was pointed out that this television station actively competes with other commercial stations in the area. It is presently on the tax rolls and this measure was designed to assure that it would continue to be carried on the rolls.

When some delegates expressed concern over how this would affect Catholic-run hospitals in the state, and other similar situations,

delegates were assured that these would still be entitled to their tax exempt status.

### TEN-YEAR EXEMPTION STAYS

On a one-vote margin the convention rejected a proposal which would have removed the 10-year industrial tax exemption as far as school taxes are concerned. The amendment, had it passed, would have removed the property tax exemption provided to industries so far as school taxes are concerned.

The majority of delegates speaking on this measure said the 10-year exemption was an important inducement in getting industries to locate in the state.

Local governing authorities will have veto power over the exemptions under provisions of the committee proposal.

## 3

Delegates agreed to skip over the whole section of the proposal dealing with other property exemptions until refinements could be made in the final draft. They will take up this section when they reconvene on Wednesday afternoon.

### REVENUE SHARING

Delegates also bypassed the section on revenue-sharing and will consider it this week after final revisions are made.

Under the section proposed originally an \$80 million state fund will be distributed annually to parishes, school boards, cities and other taxing districts. The funds will be distributed by the legislature to the parishes "solely on the basis of population and number of homesteads" within the parish.

## 4



# reporter

November 5, 1973

No. 31

## HIGHLIGHTS OF THE PROPOSAL ON LOCAL AND PAROCHIAL

### GOVERNMENT

The Constitutional Convention has approved with amendments all sections of the proposal on local and parochial government except the ones pertaining to finance which were passed over pending action by the delegates on property taxation.

In reading this digest of the various provisions contained in the proposal, keep

in mind that the committee applied two theories on home rule in Sections 8 and 9 which authorizes (1) any municipality or parish to adopt home rule and (2) a modified Fordham plan which states that the governing authority of any parish or municipality by a vote of its citizens or as provided in its charter can operate with broad general powers as long as it isn't in conflict with its charter or general law or the constitution.

The advocates of home rule feel that the proposal adopted by the Convention shifts the basic grant of authority from the state to the local level. They also state that the proposal should go a long way in eliminating the necessity for the whole state having to vote on numerous constitutional amendments that are purely local in nature.

1

### GENERAL PROVISIONS

The legislature is authorized to establish and organize new parishes, dissolve and merge parishes and change parish lines only if approved by two-thirds of the voters in each affected parish in an election held for that purpose. The location of the parish seat may be changed only if it receives two-thirds approval of the total votes cast in an election for that purpose. Existing parish boundaries are recognized and ratified.

A provision is made requiring an adjustment of assets and liabilities between parishes when a parish is enlarged or created from contiguous territory.

The legislature is given authority to provide by general law for the incorporation, consolidation, merger and government of municipalities. The legislature is prohibited from enacting a special law to create a municipality, but is authorized to enact a law affecting a municipality operating under a special legislature charter. Additionally, the legislature can classify parishes or municipalities according to population, or on any other reasonable basis related to the purpose of such classification.

Existing home rule charters or plans of government are ratified and confirmed. Each parish or municipality operating under a home rule charter or plan of government retains the powers, functions and duties they presently exercise. Each, as long as its charter permits, will enjoy "any powers and functions granted to other parishes and municipalities" in the constitution.

2

Any parish or municipality, or two or more municipalities acting jointly are authorized through self-executing provisions to draft, adopt or amend a home rule charter. This is No. 1 in the second paragraph. Provision is made for creation of a charter commission by (1) appointment by the governing authority of the parish or municipality, or (2) election when presented with a petition signed by not less than 10 percent of the electors or 10,000 electors, whichever is the lesser, who live within the boundaries of the affected parish or municipality.

The legislature is prohibited from enacting "any law" the effect of which changes, modifies or affects the structure and organization and/or the particular distribution and redistribution of the powers and functions of any parish or municipality which operates under a home rule charter.

Authority is granted to the governing authority of any parish or municipality, **other than home rule units**, to "exercise any power and perform any function necessary, requisite or proper for the management of its affairs **not denied by its charter or by general law**, provided that a majority of the electors in the affected parish or municipality who vote in an election held for that purpose vote in favor of the proposition." (Fordham plan modified).

The offices of district attorney, sheriff, assessor, clerk of district court, coroner, parish or city school board or the courts and their officers may not be affected by **any grant of authority to parishes or municipalities**.

3

Another provision is "No parish plan of government or home rule charter shall prohibit the incorporation of cities, towns or villages."

A parish of municipality is prohibited from (1) defining and providing for the punishment of a felony; or (2) except as may be provided by law, enacting private or civil ordinances governing civil relationships. It also includes the statement: "Notwithstanding any provision of this Article, the police power of the state shall never be abridged."

The governing authority of each political subdivision is required within two years of the effective date of the new constitution to prepare a code containing all ordinances of the political subdivision.

Electors of each parish or municipality are given exclusive rights to elect their governing authority which if defined as the body exercising the legislative functions of the parish or municipality.

Vacancies in any elective local office (except sheriff, district attorney, assessor, coroner and clerk of a district court) will be filled by the governing authority of the parish, municipality or school district in which the vacancy occurs, until an election is held. Provisions of this section are not applicable if a home rule charter or plan of government provides for another method to fill vacancies.

4

Authority is provided to the legislature to enact laws relating to salaries of local public officials or wages, hours, working conditions, pension and retirement benefits, vacation or sick leave benefits of political subdivision employees. However, any law requiring an increase in expenditures or deductions from the funds of a political subdivision will not be effective unless (1) the legislature appropriates the funds to the political subdivision to cover the increase or; (2) if the legislature does not appropriate the funds, the governing authority of the political subdivision must approve the increase. This section autho-

rizes the legislature to enact laws relative to civil service, minimum wages, working conditions and retirement benefits for firemen and policemen to be effective without the appropriation of funds or approval by the governing authority of the affected political subdivision.

Provision is made for the parish or municipality to have authority over subordinate districts. The governing authority of each parish or municipality will have broad power over any agency created by it. The governing authority could abolish the agency if it so desired, and the governing authority will exercise complete control over its budget.

Any parish or municipality is authorized to consolidate and merge into itself any special district or local public agency lying entirely within its boundaries, if a majority of the voters approve such a move. Any parish or municipality can also "adopt regulations for land use, zoning, and historic preservation, which authority is declared to be public purpose." Existing constitutional authority for historic preservation districts is ratified.

## 5

The legislature has the power to create or authorize creation of special districts, boards, agencies and commissions, and grant to each of these those rights, powers and authority as it deems proper (including the power to tax, incur debt and issue bonds).

Any political subdivision is empowered to exercise and perform any of its authorized powers and functions, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state or with the United States, except as the legislature shall provide otherwise by law.

Although subject to the constitution and legislative restrictions, political subdivisions may acquire property for any public purpose by purchase, donation, expropriation or exchange. Parishes and municipali-

[1270]

ties are authorized to acquire servitudes of way by prescription in a manner prescribed by law. Prescription is not to run against the state in any civil matter--unless otherwise provided in the constitution or by law.

## LEVEE DISTRICTS

Existing levee districts are ratified and confirmed, except "the legislature may provide for the consolidation, division, or reorganization of existing levee districts or create new levee districts." Any levee district whose flood control responsibilities lie within the boundaries of one parish may be merged into such parish.

## 6

## PORTS

All presently organized and constituted deep-water port commissions and deep-water port, harbor and terminal districts are ratified and confirmed, except the legislature may consolidate or abolish any such commission or district by a two-thirds vote of the elected membership of each house. The legislature may change the membership of any commission. However, once the membership is established, it may be changed only by a two-thirds vote of the elected members of each house.

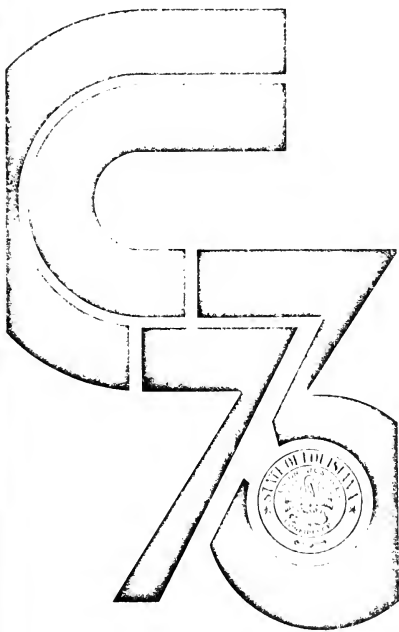
Definitions applicable to terms in the proposal:

local governmental subdivision - any parish or municipality;

political subdivision - parishes and municipalities, and any other unit of local government, including school boards and special districts, authorized by law to perform governmental functions;

governing authority - the body exercising legislative functions of political subdivisions;

general law - a law of statewide concern enacted by the legislature which is uniformly applicable to all persons or to all political subdivisions in the state.



## reporter

November 12, 1973  
No. 32

### HIGHLIGHTS OF THE PROPOSAL

ON

### REVENUE, FINANCE AND TAXATION

The Constitutional Convention gave final approval to the article on revenue, finance and taxation, bringing the total number of

completed articles to six. Those remaining to be studied by the body include education, civil service and natural resources and environment.

The most significant provisions of the article applicable to the day-to-day lives of the state's citizens include assessment of property on a uniform basis throughout the state, homestead exemptions, revenue sharing and tax exemptions, all of which are discussed in detail in the following paragraphs.

### VALUATION OF PROPERTY

Under provisions of the proposal the valuation of property is to be at fair market value with property to be listed on the assessment rolls at a percentage of fair market value. The plan requires the percentage of fair market value in assessing property to be uniform for the same class of property throughout the state.

The three classifications of property, and the assessment ratio for each class is: all lands, 10%; improvements for residential purposes, 10%; all other property, 15%. Assessment of agricultural, horticultural, marsh and timber lands will be at 10% of use value rather than fair market value. The legislature is authorized to make provisions for the assessment of historical architectural property at use value.

Homestead exemption is increased from the present \$2,000 base to \$3,000, and the legislature by two-thirds vote can increase the homestead exemption to \$5,000. Veterans and persons 65 years old or older are allowed a \$5,000 homestead exemption. The homestead exemption does not apply to municipal or city taxes except in Orleans Parish or to any municipal or city taxes levied for school purposes.

The legislature is also authorized to provide property tax relief to renters in the form of tax credits or rebates.

The provisions regarding assessment and classification of property will become ef-

fective three years after the adoption of the constitution. During this period all property will be reappraised at its fair market value. All property subject to taxation will be reappraised at intervals of not more than four years.

A limitation of five and three-quarters mills is set for state and valorem taxes if a state property tax is levied.

### EXEMPTIONS

Under provisions of the proposal as adopted, the property exempt from ad valorem taxation will remain basically the same as under the present constitution. One exception is the addition of stocks and bonds (except bank stocks) to the list of exemptions. Stocks and bonds are not now being taxed, and as a practical matter, the convention exempted them in keeping with present practice.

No other property, except those specifically enumerated in the article, may be exempt from ad valorem taxation.

All taxes authorized and imposed and all bonds authorized prior to the adoption of the document are validated.

### THE ROLL-BACK PROVISION

A very important provision in the tax proposal is Section 5, "Adjustment of Ad Valorem Tax Millage," better known as the roll-back plan. What this means is that the amount of taxes collected shall not be increased or decreased because of the method of assessing property at a uniform ratio of assessment to value. All taxing authorities must adjust millages proportionate to adjustment in assessment values in order to produce the same total dollar amount of revenue. The purpose of the provision is to insure the local taxing authority does not collect more or less taxes after reevaluation than it did before reevaluation.

### REVENUE SHARING

A special fund was set up in the proposal to be known as the "Revenue Sharing Plan." An annual allocation of \$90 million will be placed in the fund from the state's General Fund, and authority is given to the legislature to appropriate additional funds. The fund was set up in order to help make up the financial losses incurred by parishes and school boards because of homestead exemptions.

Money from the fund will be distributed annually on the basis of population and number of homesteads in each parish as provided by the legislature in proportion to the population and total number of homesteads throughout the state. Unless otherwise provided, the population statistics from the latest federal decennial census will be used.

### TAX OFFICIALS

The proposal calls for the election of tax assessors by the qualified electors of each parish, except in Orleans. The term will be for four years, with the legislature defining the duties, compensation and providing for the election.

New Orleans will have seven assessors who will compose the Board of Assessors. One will be elected from each municipal district and must be a resident of the district. The term will be for four years, and election will be held at the same time as election for municipal officers.

When a vacancy occurs in the office of tax collector, the duties will be assumed by the chief deputy assessor until the position is filled as provided by law. In Orleans Parish, the Board of Assessors will appoint the interim assessor.

### NO FORFEITURE

Property cannot be forfeited for the nonpayment of taxes. At the expiration of the year in which the taxes are due and after notice without suit, the collector will

advertise the property for sale on which the taxes are due. On the day of the sale, the debtor, or in his absence the collector, will point out sufficient property to be sold to satisfy the tax indebtedness. The sale will be without appraisal, and the property will be redeemable any time within three years of the date of recording the tax sale by paying the price, cost incurred in the sale, penalty and interest. The judgment annulling a tax sale will be effective after the price, taxes, costs and interest are paid to the purchaser. This does not apply to sales annulled because of taxes having been paid prior to the date of sale.

No tax sale will be set aside, except for payment of taxes, prior to sale unless the proceedings to annul are begun within six months from receipts of the notice of sale.

### MOVABLES TAX

Taxes on movables will be collected by seizure and sale by the tax collector. Sale of such property will be at public auction, without appraisal, after ten days advertisement, and will be absolute and without redemption. If no tangible movables can be found to be seized, the tax collector may levy on intangible rights, by notifying the debtor or by compelling the debtor to deliver up property for sale.

### POSTPONEMENT

The legislature is authorized to postpone the payment of taxes, only in cases of overflow, general conflagration, general destruction of crops or other public calamity. It may provide for the levying, assessing and collecting of such postponed taxes. In such cases, the legislature may authorize the borrowing of money on its full faith and credit and levy taxes or apply taxes already levied and not appropriated to secure payment. This will be done in order to make funds for loans to be made through the State Board of Liquidation to the governing authority of the parish where the calamity befalls, which are to be applied to the deficiency in revenue caused by the tax postponement. No loans will be

made to the governing authority of any parish without the approval of the State Board of Liquidation.

Official newsletter of the Public Information Committee published by the Public Information Office, Room 210, State Capitol.



# reporter

December 10, 1973  
No. 33

### HIGHLIGHTS OF THE EDUCATION ARTICLE

Under the proposed article on education adopted by the Constitutional Convention, the state's public educational system will

be administered by two main boards—the State Board of Elementary and Secondary Education and the Board of Regents. Under the Board of Regents will be three management boards for all colleges and universities in the state—the Board of Trustees for State Colleges and Universities, the Board of Supervisors for Louisiana State University and A & M College and the Board of Supervisors for Southern University and A & M College.

### STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

This board will consist of three members to be appointed by the governor, with the consent of the Senate, and eight members who will be elected from single-member districts to be determined by the legislature.

The board will be responsible for all public elementary and secondary and special schools under its jurisdiction. It will be prohibited from having any control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees.

Upon application, the board will be required to approve private elementary, secondary and proprietary schools whose sustained curriculum or specialized course of study is of a quality equal to or better than that prescribed for similar public schools.

### BOARD OF REGENTS

The Board of Regents will be responsible for all public higher education and post-secondary vocational-technical training and career education. It will consist of 15 members to be appointed by the governor, with the consent of the Senate, for overlapping terms of six years. At least one, but not more than two members, will be appointed from each congressional district.

The powers and duties of the board will be established in the constitution and by law. Constitutional powers include meeting with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elemen-

tary, secondary, vocational-technical career and higher education; authority to approve new degree programs and departments or to eliminate existing ones; recommending the feasibility of new or expanded institutions, the transfer of existing institutions from one body board to another or the creation of an additional management board.

Other constitutional powers include formulating and revising a formula for equitable distribution of funds; and authority to recommend operating and capital budget requests for institutions of higher education and post-secondary vocational-technical training and career education.

Powers of management over public institutions of higher education and post-secondary vocational-technical training and career education not specifically vested in the Board of Regents will be reserved to the respective management boards.

### BOARD OF TRUSTEES FOR STATE COLLEGES AND UNIVERSITIES

This board will consist of 17 members (based on the present congressional district arrangement) to be appointed from each of the congressional districts into which the state is divided and one member from the state at large.

The board will have supervision and management of all state colleges and universities except those under the management of the Boards of Supervisors of LSU and Southern University and any other board created pursuant to the article.

It will also have similar authority over all public institutions of post-secondary vocational-technical training and career education "unless and until" the legislature provides otherwise.

State colleges will be able to get management boards by a two-thirds vote of approval by both houses of the legislature. If an additional management board for an institution or group of institutions is proposed or if a proposal is made to transfer an existing institution from one board to another, the Board of Regents must report its findings and recommendations to the legislature within one year. After the writ-



ten report is filed, the legislature may approve the proposal by a two-thirds vote of both houses. If no report is filed within the year, the legislature may approve, on a two-thirds vote, the implementation of the abovementioned items.

### BOARD OF SUPERVISORS

The Board of Supervisors of LSU and of Southern each will consist of 17 members (based on the present congressional district arrangement) to be appointed by the governor with the consent of the Senate, for overlapping terms of six years. Two members of each board will be appointed from each of the congressional districts and one from the state at large.

The boards, subject to the powers vested in the Board of Regents, will supervise and manage the institutions and programs administered through the two university systems, respectively.

### STATE SUPERINTENDENT

The state superintendent of public education for elementary and secondary education will be elected for terms of four years. After 1976, the legislature with a two-thirds vote of its elected members can decide whether the superintendent will be appointive or elected. If the office is made appointive, the appointment will be made by the State Board of Elementary and Secondary Education.

The powers, duties, functions, responsibilities and qualifications of the superintendent will be fixed by law. However, he will be the administrative head of the Department of Education for the purpose of "implementation" of the policies of the State Board of Elementary and Secondary Education and the laws affecting the schools under its jurisdiction.

### PARISH AND CITY SCHOOLS

The present system of parish and city school systems will be continued. The legislature will have authority to create parish school boards and provide for election of board members. School boards will continue to select the local school superin-

tendent, who will not have to be a resident of the parish in which he will serve. However, the State Board of Elementary and Secondary Education will fix the qualifications and prescribe the duties of the local superintendent.

A new provision is that only persons residing within the jurisdictions of the Monroe City School Board and the Ouachita Parish School Board, respectively, will be eligible to vote for or be members of those boards. An additional new provision is one which allows for the consolidation of school systems, subject to voter approval.

### EDUCATIONAL FINANCE

The legislature will appropriate funds for the operating and administrative expenses of the boards. Appropriations for higher education will be made to the respective managing boards to be administered and used "solely as provided by law."

The legislature will appropriate funds to supply free school books and other material of instruction to the children of the state at the elementary and secondary levels.

A minimum program of state support for all public elementary and secondary schools will continue to be constitutionally guaranteed. However, the formulas adopted by the State Board of Elementary and Secondary Education for the allocation of funds to the local school systems must be approved by the legislature "prior" to the time the appropriation is made.

Local school boards, except Orleans, will continue to have authority to levy up to five mills in ad valorem taxes without voter approval. Orleans will continue to have authority to levy up to 13 mills without voter approval.

For the purpose of supplying additional support to the public elementary and secondary schools, local school boards, including Orleans, will have the authority with voter approval to levy ad valorem taxes for specific purposes. The city school systems of Bogalusa and Monroe, but no other, will be continued and treated on the same basis as parish systems.

## OTHER PROVISIONS

All vacancies will be filled by gubernatorial appointment, unless the unexpired portion of the term of an elected member of the State Board of Elementary and Secondary Education will be for more than one year in which case the vacancy will be filled by election as provided by law.

Members of all boards will serve without pay except for per diem and expenses established by the legislature.

Dual membership on the education boards is prohibited.

The legislature may provide for the membership of one student on each of the higher education management boards for a term not to exceed one year. Students will enjoy all the privileges and rights of other board members except the right to vote. Students will not be able to succeed themselves.

Official newsletter of the Public Information Committee  
published by the Public Information Office, Room 210 in  
the State Capitol.

# III. Highlights of the Proposed Constitution (Revised) State of Louisiana

## Highlights of the Proposed Constitution

REVISED

STATE OF LOUISIANA

### Foreword

The information in this brochure contains *only* the highlights of the major articles adopted by the convention. It is simply a guide for the reader's convenience concerning what the proposed constitution contains.

The convention voted to include an education alternative on the ballot in order to give the citizens of the state an opportunity to select the plan they feel best fulfills the educational needs of the state.

The alternative is discussed on page 24.

More detailed or additional information may be obtained by contacting:

Public Information Office  
CC 73  
Box 44473  
Capitol Station  
Baton Rouge, La. 70804

## Highlights of Major Articles

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## I. Legislative

### ORGANIZATION and COMPOSITION

Under provisions of the article, the legislature is to be made up of a Senate and House of Representatives with members to be elected from single-member districts. The present 30-day fiscal session is abolished, but the prohibition against adding new taxes or increasing existing taxes in the odd years is to be retained. The article retains the two-thirds requirement in order to raise taxes. Provisions are made for annual 60-day sessions which must be completed within an 85-day period.

The proposed document lowers the age qualification for both the House and the Senate from 21 and 25 respectively to 18 years, and residency requirements are lowered to two years in the state and one year of actual domicile in the district.

Another change is that the Senate is given the right to choose its own presiding officer, removing the lieutenant governor as ex officio president of the Senate. It removes an officer of the executive branch from a position of influence in the lawmaking branch.

Greater independence is allowed the legislature under the proposed article because of the provision allowing it to call itself into special session by a majority of the elected members of both houses.

### PROCEDURES and MECHANICS

The article continues to require that all bills appropriating money or raising revenue must originate in the House. Appropriations will be for one year instead of the present two years since the legislature will meet annually. Of course, appropriations can be for less than a year.

Bills passed by both houses no longer need to be signed in open session and delivered immediately to the governor. They are merely signed by the presiding officers and delivered to the governor within three days of passage. Bills delivered to the governor become law, unless vetoed, within ten days if the legislature is in session or within twenty days if the legislature is adjourned. A bill vetoed by the governor while the legislature is in session must be returned within 12 days of its delivery to him. Two-thirds vote will continue in effect in order to override the governor's veto.

—1—

The legislature will meet annually in veto session, if one or more vetoed bills is not returned before final adjournment unless a majority of either house indicates no such session is necessary.

#### POWERS and LIMITATIONS

The immunity of the state from suit in contract and tort is abolished, and the legislature may waive immunity in other types of suits.

The House is empowered to impeach state and district officers, and the Senate tries them. If convicted upon impeachment, the official is removed from office. Removal of officers at all levels of government by suit or recall election remains in effect.

## *II. Executive*

#### ELECTIVE OFFICES

There will be nine statewide elective officials—governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education and commissioner of elections. The legislature cannot increase the number of statewide elective officers.

Deleted as statewide elected officers are comptroller, the register of the land office and custodian of voting machines. The commissioner of elections is a newly-created position.

All executive officials will be elected for four-year terms, and all but the governor are permitted unlimited succession in office. The governor is limited to two successive terms.

After 1976 the legislature with a two-thirds vote of its elected members can decide whether the superintendent of education, and the commissioners of insurance, agriculture and elections are to be elected or appointed.

#### REORGANIZATION

The executive branch which has more than 250 agencies at the present time will be reorganized, according to function, into not more than 20 principal departments. Each elected officer in the executive branch will head up a major department, and in most instances, each officer is given constitutional duties.

—2—

#### POWERS of the GOVERNOR

He is given constitutional authority to prepare operating and capital outlay budgets, and he is required to maintain a balanced state budget.

A five-member pardon board, appointed by the governor with Senate confirmation, will replace the present three-member board.

The governor's executive powers remain much as they are at present with the exception of those specifically mentioned above.

#### LIEUTENANT GOVERNOR

The lieutenant governor becomes an executive officer and is no longer ex officio president of the Senate. He will serve ex officio on committees, boards and commissions on which the governor serves and is to have any other power delegated by the governor. He is to succeed to the governorship in the event of a vacancy in that office and is to act during temporary absences of the governor from the state.

#### APPOINTED FIRST ASSISTANTS

All statewide elective officers except the governor and lieutenant governor are to appoint first assistants, subject to Senate confirmation. First assistants will succeed to the elective offices in the event of vacancies of less than one year. First assistants must have the same qualifications for office as the elected officials they serve.

#### VACANCIES

If no other means are provided in the constitution, by the legislature or by local governments, the governor will fill vacancies in elective offices when the unexpired term is one year or less. Vacancies of more than one year will be filled by election, including vacancies in statewide elective offices.

#### INABILITY of EXECUTIVE OFFICERS

An elected officer of the executive department can temporarily remove himself from office by voluntarily declaring that he is unable to fill his official duties. By his own declaration that his inability has ceased, he can return to office.

—3—

A majority of statewide elective officials can initiate action to declare another elected executive official unable to perform his official duties, but the initial determination, if contested by the official in question, is subject to legislative and judicial review. The official who is declared unable to perform his duties is not removed from office; instead, his successor acts for him until the supreme court determines that his inability has been removed, and he returns to office.

## *III. Judiciary*

#### PROVISIONS

This article reduces the terms of justices of the supreme court from 14 years to 10 years. The article reduces the terms of court of appeal judges from 12 to 10 years. All terms for district judges are for 6 years. Presently, all district judges have 6-year terms except in Orleans where they serve 12 years. Supreme court districts could be changed by a two-thirds vote of the legislature. The present constitution would require a constitutional amendment to change the districts.

The supreme court is given rule-making power concerning procedural and administrative rules.

Included is the stipulation that the chief justice of the supreme court is the chief administrative officer of the state judicial system. The present review of law and fact on the appellate level is retained.

Another change is that the article authorizes the supreme court to appoint a person to a vacancy in a judgeship or to a newly-created judgeship until an election is held to fill the position. The person so appointed is not eligible for the judgeship at the election. Under the present law the governor appoints in the above cases and his appointee is eligible to seek the position at the election.

The attorney general is designated the chief legal officer of the state and is empowered to institute any civil proceedings necessary to protect the state's interest and is given power to institute criminal proceedings after obtaining court approval of court having original jurisdiction over the case.

## OTHER CHANGES

The sheriff is the chief law enforcement officer of a parish.

—4—

In the case of a vacancy, until an election is held in the office of sheriff, his chief criminal deputy assumes the duties; in the case of the district attorney, his first assistant assumes the duties; for the clerk of a district court, it's the chief deputy and for the coroner it's his chief deputy.

The prohibition against women serving on juries was deleted, and the supreme court will provide exemptions for jury service. Anyone 18 years or older is eligible for jury service.

## IV. Preamble and Bill of Rights

This proposal retains the provisions in the present preamble, but it includes the protection of individual rights, opportunity for individual development, equality of rights and promotes health, safety, education and welfare.

### SPECIFIC PROVISIONS

For the first time an equal protection clause is included in a Louisiana constitution. The article prohibits discrimination by the state on the basis of race or religion and prohibits arbitrary, capricious or unreasonable discrimination by the state against any person because of birth, age, sex, culture, physical condition, political ideas or political affiliation.

Right to property is specifically listed and expropriation is prohibited except for a public or necessary purpose and must be compensated to the "full extent of his loss." A person may demand a jury trial to determine compensation.

Property and communications have been added to the list of things immune from illegal searches and seizures. A person adversely affected by an illegal search or seizure can raise its illegality in court.

The provisions of the present constitution of freedom of speech, assembly and petition are retained essentially intact.

### RIGHTS OF ACCUSED

A person detained must be advised of certain legal rights. The accused is assured the right to counsel of his choice or appointment by the court in indigent cases, if he is charged with an offense punishable by imprisonment.

—5—

### PROVISIONS RETAINED

Retained from the present constitution are provisions for:

- Requiring a grand jury indictment for capital crimes.
- The rights of an accused during trial.
- Requiring a unanimous 12-man jury in capital cases. In cases necessarily punishable at hard labor, 10 of the 12 must concur to render a verdict instead of 9 as in the present constitution. For lesser crimes only 5 out of 6 jurors must concur to convict.
- Prohibitions against cruel and unusual punishment and excessive punishment.

Full rights of citizenship are restored to convicted persons after termination of state or federal supervision for any offense.

No laws shall be passed to subject anyone to euthanasia.

Voting is recognized as a right and is included in the "Declaration of Rights." No person 18 years of age or older shall be denied the right to vote except that this right may be

suspended while a person is interdicted and judicially declared mentally incompetent or under an order of imprisonment for conviction of a felony.

## V. Local and Parochial Government

The convention applied two theories on home rule which authorizes (1) any municipality or parish to adopt home rule and (2) a modified Fordham plan which states that the governing authority of any parish or municipality by a vote of its citizens or as provided in its charter can operate with broad general powers as long as it isn't in conflict with its charter or general law or the constitution.

### GENERAL PROVISIONS

The legislature is authorized to establish and organize new parishes, dissolve and merge parishes and change parish lines only if approved by two-thirds of the voters in each affected parish in an election held for that purpose. The location of the parish seat may be changed only if it receives two-thirds approval of the total votes cast in an election for that purpose. Existing parish boundaries are recognized and ratified.

—6—

The legislature is given authority to provide by general law for the incorporation, consolidation, merger and government of municipalities. The legislature is prohibited from enacting a special law to create a municipality but is authorized to enact a law affecting a municipality operating under a special legislative charter. Additionally, the legislature can classify parishes or municipalities according to population, or on any other reasonable basis related to the purpose of such classification.

Existing home rule charters or plans of government are ratified and confirmed. Each parish or municipality operating under a home rule charter or plan of government retains the powers, functions and duties it presently exercises. Each, as long as its charter permits, will enjoy "any powers and functions granted to other parishes and municipalities" in the constitution.

Any parish or municipality, or two or more municipalities acting jointly are authorized through self-executing provisions to draft, adopt or amend a home rule charter. This is No. 1 in the second paragraph. Provision is made for creation of a charter commission by (1) appointment by the governing authority of the parish or municipality, or (2) election when presented with a petition signed by not less than 10 percent of the electors or 10,000 electors, whichever is the lesser, who live within the boundaries of the affected parish or municipality.

The legislature is prohibited from enacting "any law" the effect of which changes, modifies or affects the structure and organization and or the particular distribution and redistribution of the powers and functions of any parish or municipality which operates under a home rule charter.

Authority is granted to the governing authority of any parish or municipality, other than home rule units, to "exercise any power and perform any function necessary, requisite or proper for the management of its affairs not denied by its charter or by general law, provided that a majority of the electors in the affected parish or municipality who vote in an election held for that purpose vote in favor of the proposition." (Fordham plan modified).

Another provision is "No parish plan of government or

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home rule charter shall prohibit the incorporation of cities, towns or villages."

The governing authority of each political subdivision is required within two years of the effective date of the new constitution to prepare a code containing all ordinances of the political subdivision.

Electors of each parish or municipality are given exclusive rights to elect their governing authority which is defined as the body exercising the legislative functions of the parish or municipality.

Vacancies in any elective local office except sheriff, district attorney, assessor, coroner and clerk of a district court will be filled by the governing authority of the parish, municipality or school district in which the vacancy occurs, until an election is held. Provisions of this section are not applicable if a home rule charter or plan of government provides for another method to fill vacancies.

Authority is provided to the legislature to enact laws relating to salaries of local public officials or wages, hours, working conditions, pension and retirement benefits and vacation or sick leave benefits of political subdivision employees. However, any law requiring an increase in expenditures or deductions from the funds of a political subdivision will not be effective unless (1) the legislature appropriates the funds to the political subdivision to cover the increase or; (2) if the legislature does not appropriate the funds, the governing authority of the political subdivision must approve the increase. The legislature is authorized to enact laws relative to civil service, minimum wages, working conditions and retirement benefits for firemen and policemen to be effective without the appropriation of funds or approval by the governing authority of the affected political subdivision.

Provision is made for the parish or municipality to have authority over subordinate districts. The governing authority of each parish or municipality will have broad power over any agency created by it. The governing authority can abolish the agency if it so desires, and the governing authority will exercise complete control over its budget.

Any parish or municipality is authorized to consolidate and merge into itself any special district or local public

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agency lying entirely within its boundaries, if a majority of the voters approve such a move. Any parish or municipality can also "adopt regulations for land use, zoning, and historic preservation, which authority is declared to be public purpose." Existing constitutional authority for historic preservation districts is ratified.

Any political subdivision is empowered to exercise and perform any of its authorized powers and functions, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state or with the United States, except as the legislature shall provide otherwise by law.

Although subject to the constitution and legislative restrictions, political subdivisions may acquire property for any public purpose by purchase, donation, expropriation or exchange. Parishes and municipalities are authorized to acquire servitudes of way by prescription in a manner prescribed by law. Prescription is not to run against the state in any civil matter—unless otherwise provided in the constitution or by law.

#### LEEVE DISTRICTS

Existing levee districts are ratified and confirmed, except "the legislature may provide for the consolidation, division, or reorganization of existing levee districts or create new levee districts." Any levee district whose flood control

responsibilities lie within the boundaries of one parish may be merged into such parish.

#### PORTS

All presently organized and constituted deep-water port commissions and deep-water port, harbor and terminal districts are ratified and confirmed, except the legislature may consolidate or abolish any such commission or district by a two-thirds vote of the elected membership of each house. The legislature may change the membership of any commission. However, once the membership is established, it may be changed only by a two-thirds vote of the elected members of each house.

#### FINANCES

The present limitations on parish and municipal main-

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tenance taxes will be retained, but each parish and municipality will be authorized to increase the millage rate subject to voter approval.

Authorization is given any parish or municipality to levy special millage taxes for a special purpose or purposes and for a specified period of time, subject to voter approval.

Any parish or municipality is authorized to levy an occupational license tax in an amount not greater than that imposed by the state. The legislature may authorize an increase in the tax by a two-thirds vote. Those who pay a municipal occupational license tax are exempt from parish tax to the extent of the municipal tax.

Any parish, municipality or school board will be empowered to levy and collect a sales and use tax, subject to voter approval, and subject to the limitation that the rate of all sales taxes levied (exclusive of state sales tax) in any local governmental subdivision shall not exceed three percent. The legislature may authorize imposition of additional sales and use taxes, subject to voter approval.

Any special tax being levied under prior laws or under the 1921 Constitution by any political subdivision on the effective date of the constitution is confirmed and ratified.

General obligation bonds may be issued by any political subdivision subject to voter approval. The full faith and credit of a political subdivision is pledged to the payment of general obligation bonds issued by it.

The legislature is authorized to grant authority to political subdivisions to issue revenue bonds to construct, acquire, extend or improve any revenue-producing public utility or work of public improvement.

## *VI. Revenue. Finance and Taxation*

The provisions include assessment of property on a uniform basis throughout the state, homestead exemptions, revenue sharing and tax exemptions, all of which are discussed in detail in the following paragraphs.

#### VALUATION OF PROPERTY

Under provisions of the proposal the valuation of prop-

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erty is to be at fair market value with property to be listed on the assessment rolls at a percentage of fair market value. The plan requires the percentage of fair market value in assessing property to be uniform for the same class of property throughout the state.

The three classifications of property, and the assessment

ratio for each class is: all lands, 10%; improvements for residential purposes, 10%; all other property, 15%. Assessment of agricultural, horticultural, marsh and timber lands will be at 10% of use value rather than fair market value. The legislature is authorized to make provisions for the assessment of historical architectural property at use value.

Homestead exemption is increased from the present \$2,000 base to \$3,000 and the legislature by two-thirds vote can increase the homestead exemption to \$5,000. Veterans retain their \$5,000 exemption, and persons 65 years old or older are given an increase of from \$2,000 to \$5,000 for homestead exemption. The homestead exemption does not apply to municipal or city taxes except in Orleans Parish or to any municipal or city taxes levied for school purposes.

The legislature is also authorized to provide property tax relief to renters in the form of tax credits or rebates.

The provisions regarding assessment and classification of property will become effective three years after the adoption of the constitution. During this period all property will be reappraised at its fair market value. All property subject to taxation will be reappraised at intervals of not more than four years.

A limitation of five and three-quarters mills is set for state ad valorem taxes if a state property tax is levied.

### TAXES OTHER THAN PROPERTY TAXES

The provision against levying of taxes for any purpose except a public purpose is continued. Taxes can be levied by the legislature only by a two-thirds vote.

Income tax can never exceed present maximums, and deduction of federal income taxes in computing state income taxes is restored and given constitutional protection.

The three dollar (\$3.00) license tax on private motor vehicles is retained.

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Where authorized by a two-thirds vote of the legislature, the full faith and credit of the state is pledged to the payment of all bonds or other debt incurred by the state or its agencies. Except in the case of certain revenue bonds and local government bonds, incurrence of such debt requires authorization by two-thirds vote of the legislature and then only for very limited purposes, primarily capital improvements.

Constitutional status is given the State Bond Commission, and the requirement that it issue and sell all state bonds is continued. The requirement that annual bond requirements be paid "off the top" of the moneys in the state treasury from the Bond Security and Redemption Fund is also constitutionalized.

All moneys received by the state from taxes and other sources with a few exceptions are to be deposited in the state treasury as received.

The governor is required to recommend, and the legislature is required to adopt, a five-year capital outlay program (construction, etc.) which must be updated each year.

### EXEMPTIONS

The property exempt from ad valorem taxation will remain basically the same as under the present constitution. One exception is the addition of stocks and bonds (except bank stocks) to the list of exemptions. Stocks and bonds are not being taxed at present, and as a practical matter, the convention exempted them in keeping with present practice.

All taxes authorized and imposed and all bonds authorized prior to the adoption of the document are validated.

### THE ROLL-BACK PROVISION

Section 5, "Adjustment of Ad Valorem Tax Millage," is better known as the roll-back plan. The amount of taxes collected shall not be increased or decreased because of the method of assessing property at a uniform ratio of assessment to value. All taxing authorities must adjust millages proportionate to adjustment in assessment values in order to produce the same total dollar amount to revenue. The purpose of the provision is to insure the local taxing authority does not collect more or less taxes after reevaluation than it did before reevaluation.

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### REVENUE SHARING

A special fund is set up to be known as the "Revenue Sharing Plan." An annual allocation of \$90 million will be placed in the fund from the state's General Fund, and authority is given to the legislature to appropriate additional funds. The fund was set up in order to help make up the financial losses incurred by parishes and school boards because of homestead exemptions.

Money from the fund will be distributed annually on the basis of population and number of homesteads in each parish as provided by the legislature in proportion to the population and total number of homesteads throughout the state. Unless otherwise provided, the population statistics from the latest federal decennial census will be used.

### NO FORFEITURE

Property cannot be forfeited for the nonpayment of taxes. At the expiration of the year in which the taxes are due and after notice without suit, the collector will advertise the property for sale on which the taxes are due. On the day of the sale, the debtor, or in his absence the collector, will point out sufficient property to be sold to satisfy the tax indebtedness. The sale will be without appraisal, and the property will be redeemable any time within three years of the date of recording the tax sale by paying the price, cost incurred in the sale, penalty and interest. The judgment annulling a tax sale will be effective after the price, taxes, costs and interest are paid to the purchaser. This does not apply to sales annulled because of taxes having been paid prior to the date of sale.

No tax sale will be set aside, except for payment of taxes, prior to sale unless the proceedings to annul are begun within six months from receipts of the notice of sale.

### MOVABLES TAX

Taxes on movables will be collected by seizure and sale by the tax collector. Sale of such property will be at public auction, without appraisal, after ten days advertisement, and will be absolute and without redemption. If no tangible movables can be found to be seized, the tax collector may levy on intangible rights, by notifying the debtor or by compelling the debtor to deliver up property for sale.

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## VII. Education

The state's public educational system is to be administered by two main boards—the State Board of Elementary and Secondary Education and the Board of Regents. Under the Board of Regents are three management boards for all colleges and universities in the state—the Board of Trustees for State Colleges and Universities, the Board of Supervisors for Louisiana State University, and the Board of Supervisors for Southern University.

## STATE BOARD of ELEMENTARY and SECONDARY EDUCATION

This board is composed of three members to be appointed by the governor, with the consent of the Senate, and eight members who will be elected from single-member districts to be determined by the legislature.

The board is responsible for all public elementary and secondary and special schools under its jurisdiction. It is prohibited from having any control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees. The board is also responsible for vocational-technical training.

Upon application, the board is required to approve private elementary, secondary and proprietary schools whose sustained curriculum or specialized course of study is of a quality equal to or better than that prescribed for similar public schools.

### BOARD of REGENTS

The Board of Regents will be responsible for all public higher education and post-secondary vocational-technical training and career education. It will consist of 15 members to be appointed by the governor, with the consent of the Senate, for overlapping terms of six years. At least one, but not more than two members, will be appointed from each congressional district.

Other constitutional powers include formulating and revising a formula for equitable distribution of funds; and authority to recommend operating and capital budget requests for institutions of higher education.

Powers of management over public institutions of higher

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education and post-secondary vocational-technical training and career education not specifically vested in the Board of Regents will be reserved to the respective management boards.

### BOARD of TRUSTEES for STATE COLLEGES and UNIVERSITIES

This board is to consist of 17 members, based on the present congressional district arrangement, to be appointed from each of the congressional districts into which the state is divided and one member from the state at large.

The board is to supervise and manage all state colleges and universities except those under the management of the Boards of Supervisors of LSU and Southern University and any other board created pursuant to the article.

It also has similar authority over all public institutions of post-secondary vocational-technical training and career education "unless and until" the legislature provides otherwise.

State colleges are able to get individual management boards by a two-thirds vote of approval by both houses of the legislature. If an additional management board for an institution or group of institutions is proposed or if a proposal is made to transfer an existing institution from one board to another, the Board of Regents must report its findings and recommendations to the legislature within one year. After the written report is filed, the legislature may approve the proposal by a two-thirds vote of both houses. If no report is filed within the year, the legislature may approve, on a two-thirds vote, the implementation of the abovementioned items.

### BOARDS of SUPERVISORS

The Boards of Supervisors of LSU and of Southern each will consist of 17 members, based on the present congressional district arrangement, to be appointed by the governor with the consent of the Senate, for overlapping terms of six years. Two members of each board are appointed from each of the congressional districts and one from the state at large.

The boards, subject to the powers vested in the Board of Regents, are to supervise and manage the institutions and programs administered through the two university systems, respectively.

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### STATE SUPERINTENDENT

The state superintendent of public education for elementary and secondary education is to be elected for terms of four years. After 1976, the legislature with a two-thirds vote of its elected members can decide whether the superintendent is to be appointed or elected. If the office is made appointive, the appointment is to be made by the State Board of Elementary and Secondary Education.

The powers, duties, functions, responsibilities and qualifications of the superintendent will be fixed by law. However, he is to be the administrative head of the Department of Education for the purpose of "implementation" of the policies of the State Board of Elementary and Secondary Education and the laws affecting the schools under its jurisdiction.

### PARISH and CITY SCHOOLS

The present systems of parish and city schools are continued. The legislature has authority to create parish school boards and provide for election of board members. School boards continue to select the local school superintendent, who does not have to be a resident of the parish in which he serves. However, the State Board of Elementary and Secondary Education sets the qualifications and prescribes the duties of the local superintendent.

A new provision is that only persons residing within the jurisdiction of the Monroe City School Board and the Ouachita Parish School Board, respectively, are eligible to vote for or be members of those boards. An additional new provision is one which allows for the consolidation of school systems, subject to voter approval.

### EDUCATIONAL FINANCE

The legislature is to appropriate funds for the operating and administrative expenses of the boards. Appropriations for higher education are made to the respective managing boards to be administered and used "solely as provided by law."

The legislature can appropriate funds to supply free school books and other material of instruction to the children of the state at the elementary and secondary levels.

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Local school boards, except Orleans, will continue to have authority to levy up to five mills in ad valorem taxes without voter approval. Orleans will continue to have authority to levy up to 13 mills without voter approval.

For the purpose of supplying additional support to the public elementary and secondary schools, local school boards, including Orleans, will have the authority with voter approval to levy ad valorem taxes for specific purposes. The city school systems of Bogalusa and Monroe, but no other, will be continued and treated on the same basis as parish systems.

## *III. State and City Civil Service*

State civil service includes all offices and positions of trust or employment in the state, joint state and federal agency or joint state and municipal agency.



Municipal boards of health or local governmental subdivisions are not included in the state service.

City service includes all offices and positions of trust or employment of each city with more than 400,000 population.

Paid firemen and policemen are excluded if a majority of the electors voting in the city affected consent at an election called for that purpose by the governing authority of the city within one year after the effective date of the constitution.

Both state and city civil service are divided into classified and unclassified service.

All persons not included in the unclassified service are in the classified service.

The unclassified service includes the following officers and employees in the state and city civil service:

- (1) Elected officers and persons appointed to fill vacancies in elective offices;
- (2) Heads of principal executive departments appointed by the governor, the mayor or the governing authority of a city;
- (3) City attorneys;
- (4) Registrars of voters;

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- (5) Members of state and city boards, authorities and commissions;
- (6) One private secretary to the president of each college or university, and one president holding a confidential position and one principal assistant or deputy to any officer, board, commission or authority mentioned in 1, 2, 4 or 5 above, except civil service departments;
- (7) Members of the military or naval forces;
- (8) Teachers and professional staffs and administrative officers of schools, colleges and universities of the state and bona fide students of such institutions employed by any state, parochial or municipal agency;
- (9) Employees, deputies, officers of the legislature, of the offices of the governor, lieutenant governor, attorney general, each mayor and city attorney of the several cities, of police juries, of school boards, of assessors, of all offices provided for in this constitution except the offices of clerk of municipal and traffic courts of New Orleans, of coroners;
- (10) Commissioners of elections, watchers; custodians and deputy custodians of voting machines; railroad employees whose working conditions and retirement benefits are regulated by federal agencies in accordance with federal statutory law.

Additional positions may be added or deleted from the unclassified service by rules adopted by a commission.

#### CIVIL SERVICE COMMISSIONS

The State Civil Service Commission is composed of seven members with no more than one appointed member to come from each congressional district.

Each president of Centenary College, Dillard University, Louisiana College, Loyola University, Tulane University and Xavier University nominates three persons to serve on the commission.

The governor appoints one member to the commission from the three persons nominated by each college president for overlapping terms of six years.

Classified employees elect one member from among their ranks to serve.

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A vacancy on the commission will be filled by appointment or election in accordance with procedure or law governing the original appointment or election, and from the same source.

Each city having a population exceeding 400,000 will have a city civil service commission.

Each city civil service commission will be composed of five members who will serve overlapping terms of six years.

The governing authority of New Orleans appoints one member of the commission from each of the three persons nominated by the presidents of Dillard, Loyola, St. Mary's, Dominican College, Xavier and Tulane.

The governing authority of other cities subject to the provision will appoint one member of the commission from each of the three persons nominated by each of the presidents of the five above-mentioned institutions of higher education.

The governor or governing authority may remove a member of the state or city civil service for cause after having served him with written specifics of the charges against him and giving him an opportunity for a public hearing.

The rule-making and subpoena powers of the commissions are retained. Employee safety is added as a matter subject to the rule-making authority.

Awarding of veterans' preferences is continued, including the point scale and eligibility standard for such preferences.

Each commission is empowered to hear and decide upon disciplinary and removal cases, issue subpoenas, administer oaths and appoint referees to take testimony. The existing provision relating to court review on any question of law is expanded to also include any question of fact.

The legislature is required to make adequate annual appropriations to the State Civil Service Commission and the Department of State Civil Service. Each city subject to provisions of the section is required to make adequate annual appropriations to the city civil service commission and department.

#### DEPARTMENT OF CIVIL SERVICE

The Department of State Civil Service is to be in the executive branch of state government.

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Each commission appoints a director from within the classified service to be the administrative head of his department.

The director of each department of civil service appoints personnel and exercises powers and duties to the extent prescribed by the commission appointing him.

Permanent appointments and promotions in the classified state and city service are made after certification by the appropriate department of civil service under a general system, based upon merit, efficiency, fitness and length of service.

#### RULES

Each commission is to adopt rules for the method of certification of persons eligible for appointment, promotion, reemployment and reinstatement and provide for appointments defined as emergency and temporary where certification is not necessary.

The "rule of three" is retained. However, if more than one vacancy is to be filled, the name of one additional person eligible for each vacancy may be certified.

Each commission is authorized to impose penalties for violation of its rules by demotion in, or suspension or discharge from, position with attendant loss of pay.

## CIVIL SERVICE EMPLOYEES

A person with permanent status in the classified state or city service will be subjected to disciplinary action only for cause shown in writing. Such an employee subjected to disciplinary action will have the right of appeal to the appropriate commission; the burden of proof on appeal, as to the facts, will be on the appointing authority.

Participation or engagement in political activity by members of any civil service commission and officers or employees in the classified service is prohibited.

The solicitation of contributions for political purposes from classified employees or officials or the use or attempted use of his position in the state or city service to punish or coerce political action of classified employees is prohibited.

The prohibition against political activity does not include

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support of issues involving bonded indebtedness, tax referenda or constitutional amendments.

Discrimination against or favoritism toward any applicant or employee on the basis of his membership or nonmembership in any private organization is prohibited.

## *IX. Municipal Fire and Police Civil Service*

Municipal Fire and Police Civil Service is extended to all municipalities with a population in excess of 13,000 which operate a regularly paid fire and municipal police department, all parishes and all fire protection districts which operate a regularly paid fire department.

The legislature by a favorable vote of two-thirds of the elected members of each house may amend or otherwise modify any of the provisions of Article XIV, Section 15.1 of the 1921 Constitution except that it may not abolish or make inapplicable the system of classified civil service for paid firemen and paid municipal policemen in municipalities with a population in excess of 13,000, or in parishes or fire protection districts having a regularly paid fire department.

In municipalities with a population in excess of 400,000, paid firemen and municipal policemen shall be included in municipal fire and police civil service if a majority of the electors in the city affected, voting in an election, consent. The election shall be called by the governing authority of the city within one year after the effective date of this constitution.

Paid firemen and municipal policemen in municipalities with a population in excess of 13,000 and less than 400,000 are expressly excluded from any city civil service system.

Permanent appointments and promotions shall be made only after certification by the applicable Municipal Fire and Police Civil Service Board under a general system based upon merit, efficiency, fitness and length of service as provided in Article XIV, Section 15.1 of the 1921 Constitution, subject to change by law enacted upon the favorable vote of two-thirds of the elected members of each house of the legislature.

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## *X. Natural Resources and The Environment*

### GENERAL

The policy of the state is set forth regarding conservation of natural resources and protection of the environment consisting of

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tent with the health, safety and welfare of the people.

### NATURAL GAS

Natural gas is regulated, and connection of an interstate pipeline with an intrastate line is prohibited. Connection of an interstate line with an intrastate line requires a certificate of public convenience and necessity.

### NAVIGABLE WATER BOTTOMS

Prohibition is specifically made against alienation of beds of navigable water bodies except for reclamation by riparian owners to recover land lost through erosion. Otherwise, reclamation can be only for a public use.

Reservation of mineral interests to land sold by the state is required, except redemption of land adjudicated to the state for taxes. The state, school boards and levee districts cannot lose lands and mineral interests through prescription.

Agreements involving the state's mineral interests without prior public notice and public bidding are prohibited.

### MINERAL REVENUES

Any parish is permitted to sell general obligation bonds secured by its one-tenth of the royalties from mineral leases.

### STATE OFFICIALS and AGENCIES

The Wildlife and Fisheries Commission and the Forestry Commission are retained as state agencies with constitutional protection.

Authorization is given the legislature to empower parishes to levy acreage taxes, not to exceed two cents per acre.

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## *XI. Public Service Commission*

The Public Service Commission is increased from three to five members. The commission is required to render a decision within 12 months on every application, petition and proposed rate schedule submitted to it, and it is authorized to effect interim rate increases.

The legislature may provide by law the mechanics for a temporary rate increase if the commission has not rendered a decision on a rate increase request within 12 months. Such a law must require the utility company to post bond and make a full refund with legal interest if the proposed increase is finally disallowed.

Provision is made for appeals from decisions of the commission to the district court of the commission's domicile, with appeal from that decision directly to the supreme court.

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## *Alternative on Education*

An alternate proposal on the education article will be presented to the voters.

Under the alternate proposal there will be a State Board of Elementary and Secondary Education composed of eight elected and three appointed members. This board will have jurisdiction over public elementary and secondary schools, vocational-technical training and special schools. There will also be a Board of Regents composed of eight elected and seven appointed members. This board will have jurisdiction over all institutions of higher education.

This alternate removes the management boards from the constitution.

If the superintendent becomes an appointed official he will be appointed by both boards.

He will be the administrative head of the Department of Education and the Board of Regents and shall implement the policies of the Board of Elementary and Secondary Education and the Board of Regents and schools under their jurisdiction.

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NOTES



# **EXECUTIVE COMMITTEE**



# I. Minutes

## A. Full Committee Minutes

### MINUTES

Minutes of the meeting of the Executive Committee  
of the Constitutional Convention of 1973

Held pursuant to notice given by Chairman E. L.

Henry on Friday, January 19, 1973

State Capitol, Baton Rouge, Louisiana

Tuesday, January 23, 1973, 10:00 A.M.

Presiding: E. L. Henry, Chairman of the Executive Committee

Present: Mrs. Ruth Miller  
Chris Roy  
Representative Thomas A. Casey  
Reverend Avery C. Alexander  
Moise W. Denberry  
Herman J. Lowe  
Representative John A. Alario, Jr.  
Representative Lantz Womack  
Reverend Louis Landrum, Sr.  
Perry Segura  
Lawrence Chehardy  
Representative R. Harmon Drew  
Frank Fulco  
Representative Shady Wall  
Kenneth Gordon Flory  
Arthur J. Planchard  
Anthony J. Vesich, Jr.  
John R. Thistlewaite  
Senator Samuel B. Nunez, Jr.  
Ralph L. Cowen  
Representative E. L. Henry

Absent: Autley B. Newton  
Norman Edward Carmouche

Quorum present.

Agenda: The following agenda, as contained in the notice,  
was read 1) Adoption of proposed budget for convention; 2)  
Staffing for convention.

The meeting opened with discussion concerning the size  
of working staff needed; number of days committees are to  
meet; the amount of money expended to date and the funds  
remaining; and an overall view of the financial picture at  
the present time.

Mr. Steinel of PAR, Mr. Stagg of CABL, and GSRI agreed  
to do research as to the availability of the kind of staff  
the convention will need or that will best suit the needs  
of the convention.

Mr. Lowe expressed his view that the substantive commit-  
tees and procedural committees should be considered as a  
budgeted unit. They would come before the individual charged  
with preparing the budget and present their case. The Budget  
Committee, then could take all of the information and requests  
and put them in the proper format and come before the Executive  
Committee with the figure, and it would then be up to the  
Executive Committee to decide where it wanted to go with the  
budget. He wants a detailed budget that will tell "this  
Executive Committee and the State of Louisiana where we're  
going and how we expect to get there".

Mr. Henry then gave a breakdown of the Executive Committee  
into three subcommittees, as follows:

BUDGET & FINANCE -- Chairman - Mr. Lowe  
Members: Mr. Womack  
Mr. Alario  
Mr. Planchard  
Mrs. Miller  
Mr. Cowen

STAFFING COMMITTEE -- Chairman - Mr. Casey  
Members: Mr. Vesich Mr. Wall  
Mr. Segura Mr. Carmouche  
Mr. Drew Mr. Denberry  
Mr. Newton

COORDINATING COMMITTEE -- Chairman - Mr. Roy  
Members: Mr. Chehardy  
Mr. Nunez  
Mr. Flory  
Mr. Thistlewaite  
Reverend Alexander

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THE MEETING RECESSED UNTIL 1:30 P.M.

First Vice Chairman Ruth Miller called the meeting  
to order at 1:30 P.M., January 23, 1973, and asked for brief  
reports from each committee and that any resolutions be read,  
after which the committee should come back later for discus-  
sions concerning the same.

Mr. Lowe reported that the Budget and Finance Committee  
had met for one hour and had come up with the following  
resolutions, which were presented for action.

1) MOVED By Mr. Womack, seconded by Mr. Cowen --

"That the Honorable Edwin Edwards, Governor of  
the State of Louisiana, be informed that the  
Constitutional Convention of 1973 will probably  
need additional funds during the current fiscal  
year July 1, 1972 to June 30, 1973, and that  
this need should be anticipated in future meet-  
ings of the Board of Liquidation of State Debt."

VOTE: Unanimously adopted.

2) MOVED By Mr. Cowen, seconded by Mr. Womack --

"That the chairman of the Budget and Finance Sub-  
committee be authorized to assemble all of the  
estimated expenses of CC/73 from the date of  
inception of the Constitutional Convention 1973  
to this date, and that these estimated figures be  
presented to the Executive Board at its meeting  
of January 23, 1973."

VOTE: Motion carried.

3) MOVED By Mr. Planchard, seconded by Mr. Cowen --

"That the chairman of the Budget and Finance  
Committee be authorized to contact the Honorable  
Joe Burris, Legislative Auditor, and request that  
he provide, from his staff, efficient accounting  
personnel to assist the Budget and Finance Sub-  
committee."

VOTE: Motion carried.

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Mr. Lowe then gave an estimate of expenses as of this  
date, as follows:

Whitehouse Inn (Room Rent)	\$ 1,120.00
Whitehouse Inn (Coffee & Copy)	500.00
Total	1,620.00
Bellefont Motor Hotel (Room Rent)	\$ 80.00
Bellefont Motor Hotel (Coffee)	102.00
Total	182.00
Copy Machine	157.00
Stationery	96.00
Secretary of State (Projects)	279.00
GSRI (questioned)	20,000.00
Per Diem (112 for 7 days)	46,200.00
Committee Meetings:	
Temporary Rules Committee	2,550.00
Executive Committee (today)	1,150.00
Total Estimated Expenses:	\$ 72,234.00

Mr. Casey, chairman of the Subcommittee on Staff and Personnel, received recommendations from Mr. Poynter on immediate personnel needed, as follows:

- (1) Desk Clerk (to assist Mr. Dennery and Mr. Poynter, on a permanent basis)
- (1) Chief Enrolling Clerk
- (1-2) Assistant Enrolling Clerks (per diem basis)
- (1) Bookkeeper

Mr. Casey reported that of all the applications received, fourteen were for the position of research director. They have been xeroxed and will be studied overnight by the committee members. This subcommittee will meet again tomorrow morning at 9 A.M. to discuss the applications reviewed. Interviews for the position will begin Thursday. He stated that the director's salary would be dependent upon the qualifications of the person chosen and his requirements. The LSU Law Library was suggested as a site for the staff.

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Mr. Roy, chairman of the Coordinating Committee, stated that he felt a good professional staff is needed. The following motion was presented:

MOVED by Mr. Flory; seconded by Mr. Fulco --

"That the Executive Committee employ the following personnel to be utilized as follows: (1) a Research Director; (14) Research Assistants; Secretarial Staff to go along with it."

VOYE: Motion carried.

There will be one research assistant assigned to each substantive committee, plus a research advisor, which would be one of the four deans of the Law Schools assigned to take care of two substantive committees. The eleven legislators whom Governor Edwards appointed are to be assigned, one each, to the substantive committees. It will be the duty of the research director and the Coordinating Committee to assign to the substantive committees the various articles and sections of the present constitution for study of subsequent directions; and to assign staff for the research and for drafting of the proposals to be placed in the preliminary draft. The substantive committees would have the right to call hearings around the state and would be required to present to the staff their findings so that the staff may put it together and have a preliminary draft for the convention by July 5, 1973. The committees may request additional professional and staff personnel of the Executive Committee. Preliminary drafting by the professional staff will not be allowed to alter any of the substance of the provisions determined by the committees.

Chairman Henry recognized Mr. Steinel of the Public

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Affairs Research Council for the purpose of giving ideas about convention organization. Mr. Steinel suggested that the first order of business was the hiring of the director of research. He strongly urged that this be a person qualified to hire researchers, and who will work with the substantive committees. One danger is overlapping. A good background of political science and law is necessary. A good director of research

will cost about \$25,000 per year, plus fringe benefits; researchers will cost from \$10,000 to \$20,000.

Mr. Steinel was asked by Nunez if he would be inclined to let his head researcher take this job, to which he responded that he thought "it would be better to find someone else". Mr. Henry thanked Mr. Steinel for taking his time to talk with us.

Mr. Henry advised that Mr. Ed Hardin would take care of roll call during the convention for per diem purposes. He pointed out that the committee also needs to know from LSU if they are going to charge the convention. He stated that it is his understanding that it should be free.

Mr. Casey advised that he is ready to begin interviewing applicants for research director.

Chairman Henry then asked the subcommittees to use the remaining two working hours to prepare a concise report for tomorrow. He also advised that the Committee on Committees will meet tomorrow morning.

The meeting adjourned at 3:00 P.M. until Wednesday,

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January 24, 1973, at 1:00 P.M.

Chairman

Vice Chairman

Secretary

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#### MINUTES

Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973

Held pursuant to notice given by Chairman

E. L. Henry on Tuesday, January 23, 1973

State Capitol, Baton Rouge, Louisiana

Wednesday, January 24, 1973, 1:00 P.M.

Presiding: E. L. Henry, Chairman of the Executive Committee

Present: Representative R. Harmon Drew  
Frank Fulco  
Norman Edward Carmouche  
Arthur J. Planchard  
John R. Thistlewaite  
Herman J. Lowe  
Representative John A. Alario, Jr.  
Reverend Avery C. Alexander  
Representative Thomas A. Casey  
Moise W. Dennery  
Mrs. Ruth Miller  
Reverend Louis Landrum, Sr.  
Representative E. L. Henry  
Chris J. Roy  
Perry Segura





III. The eleven legislators appointed by the Governor shall be assigned to any substantive or procedural committee as needed, and shall be ex-officio, non-voting members of any committees they choose.

IV. Immediately after the employment and or selection of the staff personnel described above, the Research Director working with the Coordinating Committee shall make the assignments to the committees of the above personnel.

Furthermore, the substantive committees shall be assigned with the various articles and sections of the present constitution in accordance with the rules of the Convention, for study and subsequent direction of the staff for study and subsequent direction of the staff for preparation of the preliminary draft of the Constitution.

V. All substantive committees shall complete their work assignments by May 5, 1973, and present their drafts to the Research Director, at which time the personnel assigned to the various committees shall end, and they shall then begin working directly under the Research Director, who with the Coordinating Committee, shall have the responsibility of formulation the drafts into a preliminary draft of the constitution to be presented to the Convention by July 5, 1973.

VI. In editing and compiling the substantive committee drafts into a final preliminary draft of the Constitution neither the Research Director nor the Coordinating Committee may change any substantive provisions.



CC/73  
Budget and Finance Sub-Committee  
Meeting of Tuesday, January 23, 1973  
11:30 A.M. to 12:30 P.M.

State Capitol - Committee Room 88 - Baton Rouge, Louisiana  
Meeting called to order at 11:30 by Chairman Moore.  
De roll call following members were present.

Wenack  
Alerio  
Muller  
Planchar  
Coven

After considerable discussion the following resolutions were adopted for submission to the Executive Committee for consideration.

Resolution #1  
Moved by: Wenack  
Seconded by: Coven

That the Honorable Edwin Edwards, Governor of the State of Louisiana, be informed that CC/73 will probably need additional funds during the current fiscal year July 1, 1972 to June 30, 1973 and that this need should be anticipated in the future meetings of the Board of Liquidation of the State of Louisiana.

Resolution #2  
Moved by: Coven  
Seconded by: Wenack

That the Chairman of the Budget and Finance Sub-Committee be authorized to assemble all of the estimated expenses of CC/73 from the date of inception of CC/73 to date and that these estimated figures be presented to the Executive Board at its meeting of January 23, 1973.

Resolution #3  
Moved by: Planchar  
Seconded by: Coven

That the Chairman of the Budget and Finance Sub-Committee be authorized to contact the Honorable Joe Morris, Legislative Auditor and request that he provide, from his staff, sufficient accounting personnel to assist the Budget and Finance Sub-Committee

There being no further to come before the meeting it was moved by Mr. Wenack, seconded by Mr. Coven and carried that the meeting be adjourned

Chairman

# CONSTITUTIONAL CONVENTION

FINANCIAL CONDITION @ 1/30/73

Expenses	Estimated * Budget	Outstanding Obligations	Total Expended	Balance
Salaries:				
Assistant Clerks		830.88	830.88	
Research		892.16	892.16	
Clerical		1,663.60	1,663.60	
Attorney - Specialist in Fed Const.		-0-	-0-	
Contingencies		-0-	-0-	
Total Salaries	124,000.00	3,386.64	3,386.64	120,613.36
Staff Retirement a/o Social Security	12,400.00	181.25	181.25	12,218.75
Staff Travel	4,000.00	-0-	-0-	4,000.00
Meetings	143,800.00	92,633.21	92,633.21	51,166.79
Other Expense:				
Delegates Travel	-0-	-0-	-0-	-0-
Delegates Retr. a/o Social Security	7,272.00			7,272.00
Public Information	-0-	-0-	-0-	-0-
Committee I. V. Rental	-0-	-0-	-0-	-0-
Office Equipment Rental	8,500.00			8,500.00
Printing & Office Supplies	8,500.00	703.88	703.88	7,796.12
Daily Journal	8,000.00			8,000.00
Contingencies	33,528.00			33,528.00
Total Other Expense	63,800.00	703.88	703.88	65,096.12
Grand Totals	350,000.00	96,904.98	96,904.98	253,095.02

206 probably contemplated by the legislature

CONSTITUTIONAL CONVENTION  
FINANCIAL CONDITION @ 2/15/73

	Estimated * Budget	Funds Disbursed	Outstanding Obligations	Total Expended	Balance
Expenses					
Salaries:					
Assistant Clerks		830.88		830.88	
Research		892.16		892.16	
Clerical		1,663.60		1,663.60	
Attorney - Specialist in Fed. Const.		-0-		-0-	
Contingencies		-0-		-0-	
Total Salaries	124,000.00	3,386.64		3,386.64	120,613.36
Staff Retirement a/o Social Security	12,400.00		181.25	181.25	12,218.75
Staff Travel	4,000.00				4,000.00
Meetings	143,800.00	92,633.21	3,326.70	95,959.91	47,840.09
Other Expense:					
Delegates Travel	-0-				-0-
Delegates Retr. a/o Social Security	7,272.00				7,272.00
Public Information	-0-				-0-
Committee T. V. Rental	-0-				-0-
Office Equipment Rental	8,500.00				8,500.00
Printing & Office Supplies	8,500.00	703.88	87.77	791.65	7,708.35
Daily Journal	8,000.00				8,000.00
Contingencies	33,528.00				33,528.00
Total Other Expense	65,800.00	703.88	87.77	791.65	65,008.35
Grand Totals	350,000.00	96,723.73	3,595.72	100,319.45	249,680.55

\*As probably contemplated by the legislature

2/22/73

## MINUTES

Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973

Held pursuant to notice given by Chairman

E. L. Henry on Wednesday, January 24, 1973

State Capitol, Baton Rouge, Louisiana

Thursday, January 25, 1973, 10:00 a.m.

Presiding: Mrs. Ruth Miller - First Vice Chairman of the Executive Committee

## Present:

Representative John A. Alario, Jr.  
 Reverend Avery C. Alexander  
 Norman E. Carmouche  
 Thomas A. Casey  
 Lawrence Cheahardy  
 Ralph L. Cowen  
 Representative R. Harmon Drew  
 E. Gordon Flory  
 Frank Fulco  
 Reverend Louis Landrum, Sr.  
 Herman J. Lowe  
 Mrs. Ruth Miller  
 Senator Samuel J. Nunez  
 Arthur J. Planchard  
 Representative Lantz Womack  
 Moise W. Denney  
 Autley B. Newton  
 John R. Thistlewaite  
 Anthony J. Vesich, Jr.

## Absent:

Representative E. L. Henry  
 Chris J. Poy  
 Representative Shady Wall  
 Perry Seura

Quorum present.

The meeting opened with the reading of a proposal by Mr. Woody Jenkins regarding printing. A copy of the proposal is attached herewith and made a part of these minutes.

Mr. Newton then proposed the procedures outlined by Mr. Jenkins be adopted.

Mr. Lowe reported to have a copy of the contract for printing of the legislative daily journal containing a resolution stating "if a constitutional convention was called the printer that had been awarded the contract for printing the House Daily Journal would also be the firm for the printing of Journals of the Constitutional Convention." It did state the Constitutional Convention did not have to honor the contract.

The representative from G.S.R.I. (Mr. K. Johnson) arrived and was asked to explain the \$20,000 in expenses up-to-date but did not have detailed figures at this time. An informal summary submitted by Mr. Johnson is attached. A detailed description of all activities undertaken was to be provided to the Convention within thirty days from January 25, 1973. Mr. Johnson assured the Executive Committee everything G.S.R.I. did was approved or rejected by the Temporary Rules Committee, chaired by Mr. Staggs.

Mr. Lowe commented that CC 73 was also billed directly by LSU for the use of the Assembly Center and catering from the Union.

It was moved and seconded that the full report (accounting

Administrative (Phone)	17.00
Police (Court - Indry Hall)	151.00
W. L. L. of Sub Committee (Supplies)	10.00
Rein Stationery (Supplies)	356.89
Office Underwood (Rental of Typewriters)	92.70
Erin's Camera (Tapes)	50.11
South Central Bell	95.29
Sergeant-at-Arms (Approximate figure thru 2/24/73)	1,200.00
E. J. M. (Roll Calls)	36.47
Office House Inc (1/30 & 1/31/73)	607.60
Latul Stationery (Supplies)	28.99
A B Dick (Supplies)	85.34
Delegates Per Diem (2/1/73 thru 2/16/73)	<u>3,490.00</u>
TOTAL DUE	<u>5,741.27</u>

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO.

## RESOLUTION

BE IT RESOLVED, that the Executive Committee authorize Chairman E. L. Henry to sign purchase requisitions to purchase supplies and equipment necessary to carry out the business of the Convention.

BE IT FURTHER RESOLVED that a subcommittee on purchasing shall be established to approve purchases.

BE IT FURTHER RESOLVED that purchasing procedure shall be as follows:

- (1) Chairmen of committees may make purchases only with the approval of Chairman Henry.
- (2) Research Director Norma Duncan may make purchases without additional authorization.
- (3) Copies of requisitions for purchases made by the Research Director will be transmitted via Chairman Henry to the subcommittee for relaying for its review.
- (4) The subcommittee on purchasing will then transmit the requisition copies to the Division of Administration so that it may assure that purchase procedures are in compliance with state law.

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO.

## A RESOLUTION

BE IT RESOLVED that Mr. Herman "Monday" Lowe shall be bonded to the extent necessary to carry out the duties of his office as Treasurer of the Convention.

BE IT FURTHER RESOLVED that the Research Staff of the Convention is directed to determine on the basis of state law and the usual practices of state agencies the extent to which Mr. Lowe should be bonded and whether it is necessary to bond anyone else in addition to Mr. Lowe.

data sheet) be turned in to the Executive Committee before payment is made. (Adopted.)

Mr. Johnson reported that besides the cost account sheet G.S.R.I. would like to submit a summary of the actions undertaken for the reasons they operated without the usual contract.

Mr. Planchard suggested a subcommittee be appointed to study the existing contract with the attorney general to rule if CC/73 is legally bound to the present printer (TJM Corp.). Mr. Lowe to head committee. Mr. Womack to serve. Duties are to meet with the director of administration; study the appropriate state laws and statutes that determine the authority under which CC/73 must operate as it relates to Mr. Jenkins's resolution. Return to the Executive Committee with written opinion by the attorney general and recommendations by the Division of Administration. They were then to prepare a motion and resolution to present to the Executive Committee regarding statements and suggestions made by Mr. Roemer, commissioner of administration.

A motion was made and seconded that the Executive Committee postpone action on the Jenkins's resolution. (Adopted.)

Mr. Lowe, Mr. Womack, and Mr. Denney were named to report on the attorney general's opinion and suggestions by the commissioner of administration. Mr. Lowe and Mr. Womack named Mr. Denney chairman. Mrs. Miller then discharged Mr. Lowe and Mr. Womack from duties assigned earlier.

No further action taken.

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Meeting adjourned at 3:30 p.m.

E. L. Henry, Chairman  
Executive Committee

Mrs. Ruth Miller, Vice Chairman  
Executive Committee

Secretary

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#### NOTES

D.R. No. D is reproduced in Volume IV  
as D.R. No. 9.

#### INFORMAL SUMMARY OF GULF SOUTH RESEARCH INSTITUTE'S ACTIVITIES FOR THE LOUISIANA CONSTITUTIONAL CONVENTION OF 1973

#### 1. Original Tasks:

- Identify possible operational locations for opening of Convention.
- Prepare initial staffing guidelines for Research Staff.
- Prepare a guide to initial research materials and sources.
- Prepare, and provide to delegates, a packet of "basic materials".

This was undertaken at the request of Governor Edwards, to be accomplished under the direction of the Deans of Louisiana's law schools, and with the guidance of the Supreme Court of Louisiana. Costs were to be held to \$20,000. Our contract start date was October 9, 1972.

#### 2. Major Activities:

- Establishment of opening locations for the Convention.
- Provision of support services for opening session
- Provision of staffing guidelines.
- Development, printing, and distribution of a study guide on rules of procedure.
- Development, printing, and distribution of delegate information.
- Printing of "Proposed Rules of Procedure".
- Coordination of all activities preliminary to opening of Convention.

#### 3. Costs:

A. Total billed - \$19,568.00

B. Exemplary expenses -

	December 1 - December 15	December 16 - December 31	January 1 - January 20
Man-hours	288	138	332
Direct outlay		\$2,500	\$445

Total billed labor - 5.94 man-months

#### 4. Comments:

A detailed description of all activities undertaken will be provided to the Convention within 30 days from January 25, 1973.

#### MINUTES

Minutes of the meeting of the Executive  
Committee of the Constitutional Convention  
of 1973

Held pursuant to notice given by Chairman

E. L. Henry on January 25, 1973

State Capitol Building, Baton Rouge

Tuesday, January 30, 1973, 10:00 a.m.

#### Presiding:

E. L. Henry, Chairman of the Executive Committee

#### Present:

Norman E. Carmouche  
Lawrence Chehardy  
Ralph L. Cowen  
Moise W. Denney  
Representative R. Harmon Drew  
K. Gordon Flory  
Frank Fulco  
Representative E. L. Henry  
Reverend Louis Landrum, Sr.  
Herman "Monday" Lowe  
Mrs. Ruth Miller  
Autley B. Newton  
Arthur J. Planchard  
John R. Thistlewaite  
Anthony J. Vesich, Jr.  
Representative Shady Wall  
Representative Lantz Womack

#### Absent:

Representative John A. Alario, Jr.  
Reverend Avery C. Alexander  
Representative Thomas A. Casey  
Senator Samuel B. Nunez, Jr.  
Chris J. Roy  
Perry Segura

Quorum present.

Chairman Henry called the meeting to order at 10:00 a.m.

Mr. Denney presented the resolution prepared by the subcommittee appointed January 25, 1973 to be charged with the responsibility of purchasing and procurement of supplies, equipment, and printing for CC/73. The subcommittee recommended this resolution be presented by the Executive Committee to the

convention when it assembles January 30, 1973, 2:00 p.m. A copy of the proposal is attached herewith and made a part of these minutes. Mrs. Miller explained the purpose of the resolution.

Mr. Lowe explained that this resolution had the same spirit of Mr. Jenkins's, but allowed the elimination of sophisticated administrative procedures as a convention, as the Division of Administration had already developed procedures and techniques. Mr. Wall requested an explanation for having to ask the convention to concur with an Executive Committee decision.

Mr. Henry explained that the rules provide that the Executive Committee cannot create a subcommittee with power to act and if the Executive Committee does choose to create this type of subcommittee, then the convention has to ratify this before this subcommittee can act.

Mr. Flory felt this was all understood once before on the floor and the Executive Committee had the power to do it. He did not feel a permanent subcommittee need be created.

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Mr. Henry stated it was impossible to call the Executive Committee to session for every purchase; the Division of Administration was bound by any budget provision, and a smaller committee was needed to oversee and handle these functions.

Mrs. Miller confirmed the fact that the matter was discussed with the Division of Administration, and an opinion had been received from the attorney general regarding the guidelines in this matter. She continued, "Mr. Flory was absent when this matter was handled, and also absent when it was decided a man living in East Baton Rouge Parish with the ability would have to handle this, and we had Mr. Flory in mind for this."

Mr. Flory retorted that he appreciated the compliment but already had all he could "say grace over." He felt a subcommittee was unnecessary if the convention was going to purchase through the Division of Administration, and it was the chairman's responsibility to approve anything.

Mr. Lowe explained the subcommittee would be approving requisitions from fourteen to fifteen committees. No one would be as concerned about the CC/73 budget as members of the Executive Committee and sometimes "NO" would have to be said. "We should not turn this responsibility over to a governmental unit that isn't part of this Constitutional Convention."

Mr. Henry announced he would ask the Division of Administration to reappear January 31, 1973 to reaffirm the costs of printing. As for purchases, Mr. Henry continued, as chairman of the convention, he would authorize Mr. Lowe, under the rules, to

The action taken regarding the Jenkins's resolution was to defer action, in effect, kill the resolution.

Mr. Lowe requested that someone of the Executive Committee go before the convention and explain the procedure to be used to dispose of Mr. Jenkins's resolution since so many delegates expressed interest.

Mr. Henry assured the Executive Committee a statement would be made that an opinion was received from the attorney general which binds the convention to the public bidding laws under the Division of Administration.

Mr. Casey reported for his subcommittee and assured the Executive Committee they would have a recommendation for the position of research director on January 31, 1973.

Mr. Denberry reported on "location." The main location under consideration was the LSU Law School. Mr. Segura was asked to prepare drawings for recommended area at the LSU Law School.

Mr. Lowe reported receipt of a bill for \$1500 from the court recorder for the seven days of convention session. It was estimated at a per diem of \$100 per day plus \$3.00 per page plus out-of-pocket costs of traveling expenses.

Mr. Lowe requested a decision be reached regarding rules of purchasing before the convention recessed until July.

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Mr. Henry called a meeting of the officers in his office at 3:00 p.m.

Mr. Lowe asked Budget and Finance Committee to meet at 3:30 p.m.

Meeting adjourned.

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E. L. Henry, Chairman  
Executive Committee

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Mrs. Ruth Miller, Vice Chairman  
Executive Committee

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Secretary

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pay the bills, and if any question arose he would bring it before the Executive Committee to be resolved in the proper fashion.

any other articles, books, maps and pictures of all  
printing equipment and accessories for office, and to  
procure further supplies, materials,  
or to do any work or business connected therewith  
now pending at the time of the expiration of the last  
contract, except as provided in said contract, shall be  
with the exception of the purchase of such goods, pro-  
cess of signature, procurement quantities for ex-  
be and the same shall be subject to approval of the  
contracts.

BE IT FURTHER ORDERED that said sub-committee  
be directed to utilize the personnel, facilities, suc-  
cessing and procurement properties of the Division  
of Administration, State of Louisiana except in those  
instances that said subcommittee has received prior  
approval of the Executive Committee to directly pur-  
chase or procure or to apply, printing or equipment  
in which instances, said subcommittee shall be bound  
by the provisions of the Public Contract Law of the  
State of Louisiana.

BE IT FURTHER ORDERED that said subcommittee  
be and the same specifically hereby is authorized to  
utilize the services and facilities of the Division  
of Administration, State of Louisiana, for all existing  
contracts for the performance of the printing and  
Journal of the Convention

The Executive Committee meeting of February 12, 1973.

The meeting was chaired by Mrs. Ruth Miller until Chairman Henry returned from New Orleans. Roll call:

Present

John Alarico, Jr.  
Rev. Avery Alexander  
Norman Carmouche  
Thomas Casey  
Lawrence Chehardy  
Moise Dennerly  
R. Harmon Drew  
K. Gordon Flory  
Frank Fulco  
E.L. Henry, Chairman  
Rev. Louis Landrum, Sr.  
Hermion Lowe  
Mrs. Ruth Miller, 1st Vice Chairman  
Autley Newton  
Sen. Samuel Nunez  
Arthur Planchard  
John Thistlewaite  
Anthony Vesich, Jr.

Having a quorum present, Mrs. Ruth Miller, first vice chairman, called the meeting to order, in the temporary absence of Mr. Henry, chairman of the committee.

Mrs. Miller introduced Mr. Ed Staggs, executive director of the Council for a Better Louisiana. Mr. Staggs explained that his office was concerned with the problem of reaching the public for the following purposes: (1) to receive the advantages of the thinking of the public with respect to constitutional matters, and (2) to inform the public of the convention's final proposal as a constitution. Mr. Staggs suggested that representatives from the convention participate in a tour of the state, inviting people to these public hearings, and giving them an opportunity to express their views, and ask questions concerning the convention. He stated

that in May or July various committees will have drafts ready for consideration by the convention as a whole, and these drafts could be the basis for considerable public discussion, if given the opportunity. He suggested that help may be obtainable from the state goals programs within the state, and one of these goals could be the Constitutional Provisions Seminars at the major cities around the state, and that the State Planning Committee offers these services at no cost to the state.

Mr. Chehardy questioned the feasibility of this tour, stating the time limit involved. After considerable explanation of his theory, Mr. Chehardy informed Mr. Staggs that "it is not a lack of appreciation for what you offer, it's only a lack of understanding the advantages." Mr. Staggs asked the committee to study the proposal and present their recommendations to the Executive Committee.

Mr. Wall suggested that this matter be referred to the Public Information Committee, and all the members concurred with his suggestion.

Mr. Lowe offered a motion to authorize the treasurer to pay per diem through January 31, 1973, and the salaries and expenses that are due. Having no objections, the motion carried.

Mr. Flory offered a motion authorizing the finance subcommittee to establish a system of handling the financial affairs of the convention; having no objections, the motion carried.

Mr. Casey distributed folders to the members containing several resolutions. Resolutions pertaining to job classifications

for the research staff, Civil Service classifications, temporary renovations of the LSU Law School, with Perry Segura designated to handle these details, were adopted.

It was suggested that the committee resolve into executive session to consider recommendations for the employment of personnel. Robert Pellegrin, Lois Michelli and C.B. Forgothson were named senior researchers and placed on the same salary as the senior researchers previously hired.

Mr. Chehardy motioned that another research coordinator be appointed, and the motion carried.

Mr. Newton motioned that the details for employee insurance be decided, and the motion carried.

It was recommended by Mr. Casey that the Subcommittee on Staff and Personnel meet on Tuesday and Wednesday of the next week, and this recommendation carried.

Mrs. Ruth Miller  
1st Vice Chairman

E.L. Henry, Chairman

Constitutional Convention of the State of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 1 of February 12, 1973  
Introduced by: Mr. Casey on behalf of the Subcommittee on  
Staff and Personnel



# A RESOLUTION

BE IT RESOLVED that the Executive Committee hereby adopts the Job Classification Schedule and Pay Plan for the Research Staff of the Constitutional Convention of 1973 as set forth on the attached exhibit; and

BE IT FURTHER RESOLVED by the Executive Committee that the Research Director is authorized to appoint and remove personnel comprising the research staff as proposed by the attached exhibit and to fix all salaries within the range provided on the attached exhibit, except that the two research coordinators and all research assistants shall be appointed or removed only with the approval of the Executive Committee; and

BE IT FURTHER RESOLVED that any resolution heretofore adopted by the Executive Committee in conflict herewith is hereby superseded.

ADOPTED: February 12, 1973

## PROPOSAL FOR RESEARCH STAFF

Recommendations of Sub-Committee on  
Staff and Personnel to the  
Executive Committee of the  
Louisiana Constitutional Convention of 1973

Number	Job Classification	Rate Per Month
1	Research Coordinator - Legal (Includes Federal Constitution)	2,000 - 2,000
1	Research Coordinator - Political Science	2,000 - 2,000
1	Research Coordinator - Sen. Research Assistant (Public Information)	2,000 - 2,000 1,167 - 1,333
8 - 9	Senior Research Assistants	1,167 - 1,333
4 - 6	Junior Research Assistants	900 - 1,000
1	Executive Secretary	750 - 750
1	Administrative Assistant	750 - 750
1	Librarian	500 - 550
1	Docket Clerk	350 - 400
1	Assistant Docket Clerk	325 - 350
1	Clerical Services Supervisor (Assist. Secretarial Pool)	650 - 700
8 - 10	Secretaries (Steno-Clerks)	500 - 600
4	Clerk Typists 2 - Regular Electric 2 - MT/ST	400 - 450 450 - 500
1	Receptionist (Receiving and channeling visitors; telephone operator, mail clerk)	360 - 380
2 - 4	Proofreaders	400 - 500
1	Duplicating Machine Operator	450 - 500
1 - 2	Duplicating Machine Helpers	300 - 350
2	Messengers	300 - 350
	Consultants	
	Part-time Research Assistants	
	Student Labor	

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 2 of February 12, 1973

Introduced by: Mr. Denney on behalf of the Subcommittee on  
Staff and Personnel

## A RESOLUTION

BE IT RESOLVED that the Chairman of the Constitutional Convention of 1973 is authorized and directed to request the

Governor of the State of Louisiana to make certification to the State Civil Service Commission in accordance with (G) (a) (12) of Article XIV, Section 15 of the Louisiana Constitution of 1921, and

BE IT FURTHER RESOLVED that the Chairman of the Constitutional Convention of 1973 is authorized and directed to apply to the State Civil Service Commission to declare all employees of the Constitutional Convention to be in the unclassified service under provisions (G) (a) (12) or (G) (a) (17) of Article XIV, Section 15 of the Louisiana Constitution of 1921.

ADOPTED: February 12, 1973

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 3 of February 12, 1973

Introduced by: Mr. Casey on behalf of the Subcommittee on  
Staff and Personnel

## A RESOLUTION

BE IT RESOLVED that the Executive Committee authorize the Director of Research to make such purchases and procurements of supplies, materials, equipment and printing as are required by the research staff, such purchases and procurements to be made subject to the provisions of Delegate Resolution No. adopted by the Convention and subject to the approval of the Treasurer of the Convention.

ADOPTED: February 12, 1973

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 4 of February 12, 1973

Introduced by: Mr. Casey on behalf of the Subcommittee on  
Staff and Personnel

## A RESOLUTION

BE IT RESOLVED that the Executive Committee declares the need for office space for the Research Staff and personnel to be an immediate necessity, requiring the temporary alteration of the allocated area of the LSU Law Center to be performed on an emergency basis and hereby directs the Chairman of the Constitutional Convention to take such action as is necessary, in conjunction with the Commissioner of Administration or any other state agency, to assure that the temporary alteration proceed with the greatest dispatch possible, consistent with the requirements of applicable law.

BE IT FURTHER RESOLVED that Mr. Perry Resura is delegated as the representative of the Executive Committee to handle all matters in relation to the temporary alteration of the office space for the staff.

BE IT FURTHER RESOLVED that LSU be first requested to perform the necessary temporary alteration work with their own personnel.

ADOPTED: February 12, 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 5 of February 12, 1973

Introduced by: Mr. Casey on behalf of the Subcommittee on Staff and Personnel

A RESOLUTION

BE IT RESOLVED that the Executive Committee of the Constitutional Convention of 1973 hereby approves the employment of the following named Research Coordinators and Research Assistants at the salaries hereinafter set forth for each, and directs the Director of Research to proceed with all necessary matters in connection with such employment:

Name	Job Classification	Monthly Salary
N. Lee Hargrave	Coordinator of Research	\$2,000
Gene F. Tarver	Coordinator of Research	\$2,000
Thomas McFerrin	Senior Research Assistant	\$1,333
J. Reginald Coco, Jr.	Senior Research Assistant	\$1,333
Walter J. Landry	Senior Research Assistant	\$1,333
Lois Nichols Michelli	Senior Research Assistant	\$1,250
C. B. Forgetson	Senior Research Assistant	\$1,250
Fred Leland Tinsley	Junior Research Assistant	\$1,000
Robert Paul Pellegrin	Junior Research Assistant	\$ 900

The employment of Mr. Pellegrin shall be subject to the approval of the Chairman of the Public Information Committee.

APPROVED: February 12, 1973

MINUTES

Minutes of the Executive Committee meeting of the Constitutional Convention of 1973.

Held pursuant to notice mailed by the Secretary of the Convention on February 14, 1973

State Capitol, Baton Rouge, Louisiana

Thursday, February 22, 1973, 1:30 p.m.

Presiding: J. H. Henry, Chairman of the Executive Committee

Present	Absent
John Alario	Thomas A. Casey
Few. Aver, C. Alexander	Moise Dennerly
Lawrence Chehardy	Harmon Drew
Ralph Cowen	Rev. Landrum
Kenneth Flory	Autley Newton
Frank Fulco	Samuel Nunez
E.L. Henry	Chris Roy
Herman Lowe	Perry Segura
Mrs. Ruth Miller	Anthony Vesich
Arthur Planchard	Shady Wall
John Thistlewaite	
Lantz Womack	

Mr. Womack moved to dispense with the reading of the minutes of the last meeting.

Mr. Lowe reported on his subcommittee - Budget and Finance:

- (1) Resolution read that a subcommittee be formed to approve all purchasing. (Attachment I) It was suggested that all these subcommittees may not be necessary -- that maybe one person could

handle this situation. The resolution was amended so that Gordon Flory serve as the purchasing agent for the convention. The resolution was adopted.

- (2) Resolution read that Monday Lowe be bonded. Resolution was adopted.
- (3) Financial statement (Attachment II) Committee authorized payment of bills - \$5741.77

Discussion: Mr. Lowe calculated that it would take \$150,000 for committee meetings for the next 6 months. Mr. Chehardy suggested that the members could waive their per diem on committees for the time being. Rev. Alexander agreed. Mr. Womack objected, saying that he did not want to have to sign any "pauper's oath," but that he would be willing to serve now without per diem as long as he knew that he would be paid back in the future. Mr. Henry assured everyone that everything would work out and that the convention would request \$100,000 from the Board of Liquidation to cover expenses until the end of the fiscal year. Mr. Nunez said that the committee would have to decide whether it (1) wanted to go into the deficit; (2) wanted to continue on with credit; (3) or continue as is and just see what will happen. Mr. Flory moved that the committee get the money from the Board of Liquidation and operate as need be at this time.

Mr. Lowe calculated the following for the next four (4) months:

\$42,000/month	Salaries	\$168,000
4,200/month	Dedication	1,680
2,000/month	Rental	8,000
2,000/month	Printing	8,000
		<hr/>
		\$185,680

Mr. Segura reported from his subcommittee that it would be another six (6) weeks before the staff could move to the LSU facilities. The LSU maintenance people are doing the work and they will pay for this. The convention will have to buy dividers to separate the space, but it is unclear whether LSU's going to pay their maintenance people to do this work, or the convention may have to pay for it.

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Mr. Juneau reported that his Composite Committee is preparing to conduct various meetings across the state. This will take place in the seven metropolitan areas throughout the state. Mr. Juneau requested that his committee be authorized to publish a convention report to go out about four times. He estimated that it would cost about \$30 an issue. The Executive Committee authorized the Composite Committee to spend \$125 for this report.

Mr. Henry appointed a Site Subcommittee to find a permanent home for the convention in July. Those appointed were:

Mrs. Miller
Mr. Vesich
Mr. Flory
Mr. Lowe
Mr. Alario
Mr. Womack
Mr. Jack Lord (correspondent)

Mr. Henry reminded the committee of the resolution that passed the convention regarding providing stationery for each delegate. This was estimated to cost the convention \$6000 to \$7000, and the committee agreed that with the money that the convention is working with now, that there would not be enough money for stationery at this time. Mr. Wall suggested that the chairmen of the committees be given stationery. Mr. Womack suggested that, and made the motion that the Division of Administration print stationery for the delegates in their spare time. Mr. Drew moved that the committee stay any action at this time. Mr. Wall made a substitute motion that a committee be

appointed to check with the Division of Administration and see what it would charge to print the stationery. There was

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also an amendment to consult private enterprise for the same information. Mr. Wall's motion failed. Mr. Drew's motion was voted on and passed. The chairman instructed that stationery be sent to the committee chairmen -- that is the stationery the convention is using at present.

Mr. Lambert, Mr. Roy, and Mr. Nunez were put to the task of checking out the Centrex system to see if the convention could use it without extra cost. None of the members were present except Mr. Nunez, and he didn't know too much about it. Roy Fugler, staff member, reported on what he had found out from Centrex. It would not cost the convention, but Centrex would have to be notified as to who would use the system. It was decided that each of the chairman of a committee be given the authority to use Centrex, and that they be notified of this along with Mrs. Vickers, who is in charge of Centrex.

It was brought to the attention of the committee that delegates had been coming to Baton Rouge for meetings, because they had gotten letters from the chairman of their committee, but had not received official notices from the convention. A letter had been sent out previously to the committee chairman notifying them that committees could not meet unless they get an official notice of a meeting.

Mr. Henry informed the committee of the request that Dr. Asseff had made, changing him from the Committee on Legislative Powers to the Committee on the Executive Department. Mr. Fulco made the motion to authorize this request. Mr. Flory suggested

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that the delegates not be given the authority to change committees once the committees begin to meet. The chairman instructed that Dr. Asseff be notified of this change, as well as Mr. Staggs and Mr. Blair.

Mr. Denney introduced a resolution that would cover the cost of printing of documents for the convention (Attachment III). The amendment was adopted.

Mr. Lowe brought up the question of how the convention was going to handle retirement and insurance for its employees -- this seems to be a problem in hiring some of the employees. Also some employees want to take a leave of absence from their jobs so they can stay on their own retirement. It was agreed that the convention would reimburse the state agencies from which these employees may be on leave.

Mr. Wall introduced a resolution expressing the position of the Executive Committee with respect to consideration of legislators' service to the convention and the computation of their retirement (Attachment IV). The resolution was amended to include the names of Nunez, Henry, and Chehardy as coauthors. The chairman requested that a copy of this resolution be sent

to the retirement system of the state.

Mr. Casey reported on his subcommittee - Personnel and Staffing:

Mr. Casey introduced six resolutions (Attachments V-K) in relation to staffing and personnel. These having to do with (1) employees being on loan to the convention and being reimbursed by the convention; (2) employees not earning annual leave or sick leave; (3) employees be allowed to join the State Employees' Retirement System; (4) that there be some deviation on the salaries set for staff previously at the Executive Committee; (5) that an assistant clerk be

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hired at \$800 month; (6) that an accountant be hired at \$750/month.

Mr. Drew made a motion that the committee go into executive session. The motion carried.

#### EXECUTIVE SESSION

Mrs. Miller presided.

Mr. Casey introduced a resolution (Attachment XI) relative to the employment of eight additional people for the research staff. The resolution was amended to read "authorized" instead of "approves the employment of the following..." The resolution was adopted.

Mrs. Duncan was asked to tell the Executive Committee some of the research staff's plans and the coordination of the committees, etc. She seemed to think that they had hired an excellent research staff and recently had met with the law deans and the members of the Law Institute. Mr. Flory asked Mrs. Duncan if the staff had been given the various articles of the constitution, and if these had been distributed. She said that this was being done at the present time. She informed the committee that at the present time, they had 33 requests from delegates for research. Some of the Executive Committee didn't think that they should be taking all of these requests. Some of the committee agreed that no one could be denied research, as this is part of what the research staff was hired for.

Mr. Newton made a motion that all requests for research be through the chairman of the various committees, and that they in turn bring it up to the research staff if they deem it necessary.

After discussion, Mr. Newton withdrew his motion. It was decided to leave the matter open until the Executive Committee could make some recommendations on it.

Reverend Alexander said that he had not been getting notices of the Public Information Committee and that he was an ex officio member of this committee. Each vice chairman is a member of a procedural committee. Mr. Henry instructed that these members be notified of these meetings.

Mr. Tom Casey requested of the committee that his Subcommittee on Staff and Personnel be allowed to meet whenever it becomes necessary. The request was granted.

Mr. Planchard moved that the committee adjourn subject to call.

Adjourned 5:30 p.m.

L. L. Henry, Chairman

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION No. 1 of February 22, 1973

Introduced by : Mr. Lowe (on behalf of the Subcommittee on Budget and Finance)

## A RESOLUTION

BE IT RESOLVED that the Executive Committee authorize Chairman E. L. Henry to approve purchase requisitions for the purchase of supplies, services and equipment necessary to carry out the business of the Convention.

BE IT FURTHER RESOLVED that a subcommittee on purchasing shall be established to review purchases.

BE IT FURTHER RESOLVED that purchasing procedures shall be as follows:

(1) Chairmen of committees and the Research Director shall submit purchase requisitions to Chairman Henry for approval.

(2) Approved copies of requisitions for purchases made by the Research Director and Chairman Henry will be transmitted to the subcommittee on purchasing for its review.

(3) The subcommittee on purchasing will then transmit the approved requisition copies to the Division of Administration so that it may insure that purchase procedures are in compliance with state law.

ADOPTED: (date) February 22, 1973

## ATTACHMENT I (cont'd)

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION No. 2 of February 22, 1973.

Introduced by Mr. Lowe (on behalf of the Subcommittee on Budget and Finance)

## A RESOLUTION

BE IT RESOLVED that Mr. Herman "Monday" Lowe shall be bonded to the extent necessary to carry out the duties of his office as Treasurer of the Convention.

BE IT FURTHER RESOLVED that the Research Staff of the Convention is directed to determine on the basis of state law and the usual practices of state agencies the extent to which Mr. Lowe should be bonded and whether it is necessary to bond anyone else in addition to Mr. Lowe.

ADOPTED: February 22, 1972  
(date)

## ATTACHMENT III

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 3 of February 22, 1973

Introduced by Mr. Denney

BE IT RESOLVED that the price for reproducing convention documents shall be fifty (50) cents per document plus twenty-five (25) cents per page.

BE IT FURTHER RESOLVED that the Convention is authorized to enter into reciprocal agreements with constitutional conventions or constitutional revision commissions in other states for the purpose of exchanging documents and materials to further the purposes of the Convention.

ADOPTED: February 22, 1973

## ATTACHMENT IV

Constitutional Convention of the state of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION 4 of February 22, 1973

Introduced by Messrs: Wall, Womack, Casey, Drew, Nunez, Henry, Chehardy, Lowe, Carmouche.

## A RESOLUTION

To express the position of the Executive Committee with respect to consideration of legislator's service in the Constitutional Convention in the computation of retirement credit and benefits for members and former members of the legislature.

BE IT FURTHER RESOLVED by the Executive Committee of the Louisiana Constitutional Convention that said committee does hereby go on record and officially expresses its position that members of the legislature and former members of the legislature shall not be granted retirement credit by an actuarially funded retirement system for service in the Constitutional Convention or committees thereof.

BE IT FURTHER RESOLVED that the committee does further express and officially records its position that the per diem paid to legislators or former legislators for attendance at sessions of the Constitutional Convention or of committees thereof shall not be taken into consideration in the computation of retirement benefits for any legislator or former legislator by any actuarially funded retirement system.

ADOPTED: February 22, 1972

## ATTACHMENT V

Constitutional Convention of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 5 of February 22, 1973

Introduced by Mr. Casey

## A RESOLUTION

BE IT RESOLVED that authority is hereby granted to the Treasurer of the Convention and the Director of Research to enter into an agreement with any state agency or any college or university in the state under which an employee of the Research Staff may remain on the staff of the state agency

or college or university from which he comes to this staff, on loan to the convention for the duration of the convention and with reimbursement by the convention to the agency or institution of the amount of the salary and the employer portion of the costs of retirement and other employee benefits for which the staff member is presently eligible and receiving.

ADOPTED: February 22, 1973

#### ATTACHMENT VI

Constitutional Convention of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 6 of February 22, 1973  
Introduced by Mr. Casey.

#### A RESOLUTION

BE IT RESOLVED that the full time, permanent employees of the Research Staff shall not earn annual or sick leave during the period of their employment with the Convention, but that sick leave may be granted to any employee with approval of the Director of Research.

ADOPTED: February 22, 1973

#### ATTACHMENT VII

Constitutional Convention of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 7 of February 22, 1973  
Introduced by Mr. Casey

#### A RESOLUTION

BE IT RESOLVED that the employees of the Constitutional Convention shall be deemed to be state employees within the contemplation of the laws governing the State Employees' Retirement System and, as such and within the limits of that law pertaining to eligibility and subject to approval of such membership by the Board of Trustees of the State Employees' Retirement System in accordance with R.S. 42:552, shall be members of that system in the same manner and to the same extent as other members of said system, except that any employee who prior to employment or service with this Constitutional Convention was an active member of any other retirement system in this state may elect, subject to any applicable requirements of law, to remain in the system in which he or she was a member.

BE IT FURTHER RESOLVED that the employees of the Constitutional Convention also shall be eligible for participation in the group life and group health and accident insurance programs available to state employees and administered by the Division of Administration.

BE IT FURTHER RESOLVED that the Constitutional Convention shall be responsible for the deduction of the monthly employee contributions and for payment of the employer contributions for retirement purposes in accordance with applicable law and also shall be responsible for deduction of the employee portion of insurance premiums and for payment of the employer portion of such premiums in the same manner and to the same extent as is applicable to other

eligible state employees.

ADOPTED: February 22, 1972

#### ATTACHMENT VIII

Constitutional Convention of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 8 of February 22, 1972  
Introduced by Mr. Casey.

#### A RESOLUTION

BE IT RESOLVED that authority is granted, upon the recommendation of the Director of Research and with the approval of the Chairman of the Convention and the Chairman of the Subcommittee on Staff and Personnel, to deviate from the amounts fixed in the salary schedule approved by this Executive Committee on February 12, 1973 in amounts which shall not exceed or be less than ten percent of the salaries set forth in said salary schedule.

ADOPTED: February 22, 1973

#### ATTACHMENT IX

Constitutional Convention of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 9 of February 22, 1973  
Introduced by Mr. Casey

#### A RESOLUTION

BE IT RESOLVED that authority is granted to the Chairman of the Convention to employ an assistant clerk at a salary of eight hundred dollars per month.

ADOPTED: February 22, 1973

#### ATTACHMENT X

Constitutional Convention of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 10 of February 22, 1973  
Introduced by Mr. Casey, February 22, 1973

#### A RESOLUTION

BE IT RESOLVED THAT authority is granted to the Chairman of the Convention and the Treasurer of the Convention to employ

an accountant at a salary of seven hundred twenty-five dollars per month, effective February 16.

ADOPTED February 22, 1973

ATTACHMENT XI

Constitutional Convention of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 11 of February 22, 1973  
Introduced by: Mr. Casey.

A RESOLUTION

BE IT RESOLVED that the Executive Committee of the Constitutional Convention of 1973 hereby authorizes the employment of the following named Research Coordinator at the salary hereinafter set forth, and Research Assistants and directs the Director of Research to proceed with all necessary matters in connection with such employment:

Name	Job Classification	Monthly Salary
Audrey Daste LeBlanc	Coordinator of Research	\$2,000
Carl S. Reis	Senior Research Assistant	
Joe L. Smith	Senior Research Assistant	
James Norris	Senior Research Assistant	
Louis Gerdes	Senior Research Assistant	
Jean Conner	Junior Research Assistant	
Betty Field	Junior Research Assistant	
Raymond Simmons	Junior Research Assistant	

ADOPTED: February 22, 1973

MINUTES

Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on March 22, 1973

Senate Lounge, State Capitol, Baton Rouge, Louisiana

Tuesday, March 27, 1973, 1:30 P.M.

Presiding: E. L. Henry, Chairman of the Executive Committee

Present	Absent
E. L. "Dubba" Henry, Chairman	Chris J. Roy, Vice-Chmn.
Ruth L. Miller, 1st Vice Chmn.	Lawrence Chehardy
Rev. Avery C. Alexander, Vice-Chmn.	Ralph L. Cowen
Thomas A. Casey, Vice-Chmn.	Anthony J. Vesich, Jr.
Moise Dennerly, Secretary	Shady R. Wall
Herman "Monday" Lowe, Treasurer	
John A. Alario, Jr.	
Norman E. Carmouche	
R. Harmon Drew	
Gordon Flory	
Frank Fulco	
Rev. Louis Landrum, Sr.	
Autley B. Newton	
Sen. Samuel B. Nunez, Jr.	
Arthur J. Planchard	
Perry Segura	
John R. Thistlewaite	
Lantz Womack	

The Clerk called the meeting to order and asked for roll call. After roll call by Mr. Hardin and the announcement of twelve members present and a quorum, the chairman informed the members present that the Subcommittee on Staff and Personnel was still in meeting and thus those members could not be present until the adjournment of that meeting.

Mr. Gordon Flory offered a motion that the members of the Staff and Personnel Subcommittee be excused until that meeting adjourned. It was decided that this committee would stand at ease until the subcommittee adjourned. Mr. Flory withdrew his motion and the chairman announced the committee at ease.

Upon arrival of the members of the Subcommittee on Staff and Personnel, the chairman called the meeting to order. The committee dispensed with the reading of the minutes of the last meeting.

The first order of business was consideration of a site for the Convention. Mrs. Ruth Miller, as Chairman of the Subcommittee on Permanent Site, presented for consideration a resolution, which is the recommendation of the subcommittee. She explained that the subcommittee had considered two places as possible sites for the holding of the convention: the House Chamber in the State Capitol Building and the White House Inn. It was decided, due to the problems existing in using the House Chamber (the adding of twenty-seven desks, alteration in electronic voting system, parking space, area for press and TV, food service, rest area for delegates, etc.), plus the

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insurmountable problems that could be caused if an extraordinary session of the legislature were called, that the House Chamber should not be used as the site for the convention. Mrs. Miller distributed a letter from the White House Inn setting forth the cost of using Independence Hall and other facilities there for the convention. A copy of the letter is attached to and made a part of these minutes. After an explanation of the services which could be offered by the White House Inn and conclusions of the subcommittee, Mrs. Miller moved adoption of the resolution presented on behalf of the Subcommittee on Permanent Site. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 1 of March 27, 1973, together with a diagram of the Treaty Room space to be used by the convention and its staff.

Mrs. Miller requested Mr. David Poynter to present to the committee a second resolution on behalf of the Permanent Site Subcommittee. Mr. Poynter explained briefly the needs of the convention, as considered by the subcommittee, concerning an electronic voting system. Mrs. Miller moved the adoption of the resolution. After discussion, in which it was pointed out that, in considering bids submitted and the one to be accepted, the word "responsible" should be given careful consideration in order that the convention receive the services of an experienced and dependable contractor necessary to carry on the business of the convention without unnecessary interruption and delay due to equipment failure, the resolution was adopted.

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A copy is attached to and made a part of these minutes as Executive Committee Resolution No. 2 of March 27, 1973.

The second order of business concerned recommendations of the Subcommittee on Staff and Personnel. Mr. Tom Casey, chairman of that subcommittee, requested postponement of this matter until such time as the recommendations could be prepared for presentation in the proper form.

The chairman stated the third order of business and requested Mr. Perry Segura to report the progress of renovations at the LSU Law Center with respect to office space for the research staff. Mr. Segura reported that the plans have been prepared and the work to be done has been split into two parts:

(1) LSU will perform work necessary in placing permanent partitions and all electrical alterations; (2) bids were received through the Division of Administration, the contract has been let at between \$11,000 and \$12,000, and the work is underway. He stated that due to the resolution which would be presented by the Staff and Personnel Subcommittee and perhaps adopted by the committee, there could be a problem where the hiring of more personnel than originally anticipated might occur and providing space to accommodate such employees.

The chairman stated the fourth order of business would be consideration of the financial status of the Constitutional Convention and requested the Treasurer, Mr. Herman Lowe, to report to the committee. He called attention to the fact that \$90,000 had been approved by the Board of Liquidation, subject to legislative approval. Mr. Lowe asked the members of the committee

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to refer to the folders which were distributed and which contain the financial statements he wished to discuss with the committee. A copy of these materials is attached to and made a part of these minutes. Page 1 is a list of bills to be approved for payment. Following study and discussion of the items listed, Mr. Gordon Flory moved that the bills listed for payment be approved. The motion passed without objection.

In discussion of Page 2 of the materials submitted, it came to the attention of the committee that some expenses set out in the statement were for coffee. Even though these expenses were incurred before the Executive Committee motion requiring all committees personally to pay for coffee ordered by the committee, the chairman instructed Mr. Lowe to contact the chairmen of the committees incurring the coffee expense and request that the committees reimburse the Constitutional Convention for the expenditure. Mr. Lowe agreed to comply.

The remainder of the materials in the packet were considered by the committee, with Mr. Lowe explaining various items and statements. Mr. Lowe explained that resolutions were being prepared which he would like to present later in the meeting. Other points developed through discussion were that the convention is proceeding fairly well financially, and the functions as planned can possibly be carried out through June with the funds now allotted for that time period. Some unforeseen problems are arising, such as hiring of more personnel, instal-

lation of telephones, and the difficulties the research staff

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might encounter in the move from the Capitol Building to LSU. These prohibit the projection of more exact expenditures. Also, Mr. Lowe pointed out that he has transmitted to all committee chairmen a questionnaire which would enable his office to finalize committee budgets, but that he has received very poor response. The chairman suggested that Mr. Lowe consider that the committee will not travel if he has not received a response. In answer to a question posed by the chairman, Mr. Lowe stated that he still believes it will take at least two and one-half million dollars to cover the necessary expenses of the Constitutional Convention. It was agreed that Mr. Lowe should not try to furnish further projection figures for the period from this date through the end of June for at least thirty days and that he will present his three resolutions later in the meeting.

As the next order of business the chairman stated that this committee should appoint a Composite Committee at this meeting. Mr. Fulco offered a motion that a member of each substantive and procedural committee be appointed to form a Composite Committee. Mr. Denney offered a substitute motion that the chairman of each committee be appointed and, if he refuses, the vice chairman be appointed. Mr. Komack suggested that it be the chairman or his designee, and stated that he would like this to be used as a further substitute. A vote was taken on the second substitute first. The motion carried with no objection.

The chairman stated that the sixth order of business

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would be consideration of any committee resolutions. Mr. Flory presented a resolution requiring all resolutions and amendments to resolutions for consideration by this committee to be submitted in writing. After a brief discussion, Mr. Flory moved for adoption of this resolution. The resolution was adopted. A copy is attached to and made a part of these minutes as Executive Committee Resolution No. 3 of March 27, 1973.

Chairman Henry explained that a resolution adopted by the committee in a previous meeting, relative to charging for convention documents, was so all-encompassing that it prohibited the distribution of materials to the press. He presented for consideration a resolution allowing the working press to receive documents without charge. Mr. Fulco so moved. The resolution was adopted and is attached to and made a part of these minutes as Executive Committee Resolution No. 4 of March 27, 1973.

Chairman Henry presented, on behalf of Mr. Juneau, Chairman of the Committee on Public Information, a resolution whereby the Convention Reporter could be purchased by subscription in the amount of ten dollars. Mr. Fulco moved adoption of the resolution. It was clarified in discussion that the ten dollar subscription rate would cover costs of reproduction and distri-

bution and that this would not preclude parties requesting to be notified of meetings from receiving notices. The resolution was adopted and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 5 of March 27, 1973. Mr. Lowe stated that he would like certain financial

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information placed in the Convention Reporter.

The chairman requested that Mr. Gordon Flory explain how the purchasing is being handled. Mr. Flory explained that the requisitions for purchasing are filled out by description of item, number being purchased, unit price and total price with each item listed separately. The requisition is signed by the head of the department or chairman of the committee requesting the purchase, by Mr. Flory representing the committee and by the Chairman of the Convention. Copies of all requisitions are kept by Mr. Fugler, who has been assigned to keep up-to-date records on all purchases, and he will be able to supply information as to expenditures at any time. Mr. Flory stated that there is now an inventory of all equipment and the inventory has been placed on computer by the Division of Administration at no cost.

Mr. Henry introduced Mr. Roy Fugler. He stated that Mr. Fugler will be working as assistant to the chairman and will be located in the chairman's office.

The chairman called to the attention of the committee the problems involved in scheduling meetings in a manner so that the working press could give necessary coverage for all committee meetings. He explained that representatives of the news media are working and cooperating with the delegates and committees in getting information to the public. It is impossible for these people properly to cover more than two meetings per day, with three meetings per day on occasion. Also, it places a

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heavy burden on the research staff and they cannot serve any committee as efficiently if they are faced with five committee meetings in one day as opposed to two. Mr. Henry stated that he therefore would like to request the help of the Coordinating Committee in rescheduling some of the meetings.

Chairman Henry stated that the next order of business would be the consideration of a "Mini" Composite Committee. He had received a request from Delegate Tobias concerning the forming of such a committee to travel to the smaller communities, those with a population of twenty to forty thousand, and hold meetings and interviews. A discussion ensued in which the time element involved, funds available and other facts pertinent to accomplishing the purposes of such a committee were considered. The committee decided that this matter should be discussed at a later date, after the Composite Committee has completed its tour of the state in April, with the idea that each delegate serve his particular area in this capacity.

Mr. Womack offered a motion to require the committees to announce, prior to the meeting, any matters that are to be considered for final action so that all members of the committee can make a special effort to attend these most important meetings. The chairman requested that the motion be presented in the form of a resolution. In discussion it was decided that this will be set out in the agenda on the notice of meetings.

Chairman Henry stated that he has been asked by Mr. Juneau to request the committee's consideration of sending the Public

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Information staff employee to Illinois to meet with members of the Illinois Constitutional Convention. The estimated cost of the trip is \$174.00. Reverend Louis Landrum offered a motion that Mr. Juneau's recommendation be approved and that the Public Information staff employee meet the suggested representatives of the Illinois Constitutional Convention. The motion carried. In the discussion that followed the committee considered what might be gained from such a trip. If one committee was allowed this privilege, others may consider it necessary to take the same route in gathering helpful information and thus persons traveling to all parts of the country could present a problem. It was felt that this should not be a matter channeled to the Executive Committee for a decision but rather to the superior of the Public Information employee. It was decided that maybe this matter should have been handled with the research staff. Chairman Henry stated that he will talk with Mr. Juneau. He further stated that the fact that this committee has approved this travel expenditure does not mean that it must be spent, and he will see that the matter is properly handled.

In the next order of business, Chairman Henry requested David Poynter to explain how the immediate needs for printing by the research staff might be handled. Mr. Poynter stated that there are two possibilities to be considered: (1) TJM Corporation, by contract with the state, or (2) by the Division of Administration. In determining which of the two should handle the printing, the committee should consider the work to be done. The research staff must receive as soon as possible Constitutional Convention letterhead stationery. This item involves speedy reproduction

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with the proper color scheme. The second item needed by the research staff is a snap-sheet type of request form. The Division of Administration is unable to print this item. Mr. Flory moved that the committee authorize the staff to have the printing done by TJM under state contract. Mr. Fulco offered a substitute motion that the Director of Research be allowed to get local bids through channels. After a brief discussion Mr. Fulco withdrew his substitute motion. The motion offered by Mr. Flory passed.

The chairman stated that Mr. Casey was ready to present the resolutions on behalf of the Subcommittee on Staff and Per-



sonnel and requested Mr. Casey to proceed with his presentation.

Copies of a resolution were distributed. Mr. Casey stated that the research staff is finding it difficult to serve the committees efficiently due to the fact that some committees have broken into subcommittees and the frequency of meetings of all committees and subcommittees. The Senior Research Assistants, Coordinators and secretaries serving the committees are spending a great deal of time in the meetings. It seems absolutely necessary to employ additional personnel. He explained the ways in which the adoption of this resolution might alleviate some of the problems. Mr. Casey moved for the adoption of this resolution. A discussion ensued in which Mr. Flory called attention to the overtime hours being worked by the staff, the fact that one secretary and other personnel are resigning and suggested that it might be wise to study the pay scale with the idea of pay raises. The chairman asked Mrs. Duncan to

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state her views with respect to this suggestion. She stated that these problems do exist, not only with clerical personnel but also with research assistants. The question was posed as to whether, if one category of personnel received a pay increase, it would be necessary to reconsider all categories. Mrs. Duncan stated that in her opinion it would be necessary to consider rate changes beginning with the Senior Research Assistants and through all categories listed below that particular one. Reverend Louis Landrum objected to the resolution on the grounds that it is his opinion that some qualified persons who have been interviewed have not been recommended by the Subcommittee on Staff and Personnel. After further discussion, Mr. Womack moved that the subcommittee recommend to this committee a new pay schedule it thinks necessary to permit the employment of the best qualified staff. The chairman suggested that Mrs. Duncan and certain members of the subcommittee work up a rate change schedule for consideration along with this resolution while the committee proceeded with consideration of other resolutions. Mr. Casey withdrew his motion for adoption of the resolution. Mr. Womack requested that his motion be held in abeyance. The resolution was tabled, the matter to be given consideration later in the meeting.

Mr. Casey next presented a resolution of the Subcommittee on Staff and Personnel for consideration by the committee pertaining to employment of a limited number of part-time research employees. He explained that the subcommittee has not been able to recommend any persons interviewed yesterday and today for

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employment as Senior Research Assistants to serve certain committees. Expertise is required in certain areas of research and in serving the committee responsible for particular subject matter. It is hoped that, since the subcommittee has been unable to fill these positions with fulltime employees, it will be able to do so with qualified persons serving on a part-time basis.

Mr. Casey moved adoption of the resolution. Reverend Landrum objected to this resolution on the same grounds as his objection to the previous resolution. A lengthy discussion followed in which the committee discussed the pros and cons of qualifications necessary to fill certain positions on the research staff and actions taken by the Subcommittee on Staff and Personnel. The subject of discrimination was discussed. Following a short recess the chairman stated that discussion would be continued on the resolution before the committee. Mr. Casey again moved adoption of the resolution. Reverend Louis Landrum asked that his objection to the resolution be placed on record. The resolution was adopted and is attached to and made a part of these minutes as Executive Committee Resolution No. 7 of March 27, 1973.

Mr. Casey next presented and moved adoption of a resolution, on behalf of the Subcommittee on Staff and Personnel, to authorize the Director of Research to employ not more than four students to assist the research staff. Mr. Gordon Flory moved that the resolution be amended as follows:

On page 1, line 13, after the word "Council" delete the semicolon (:) and insert in lieu thereof a period (.).

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On page 1, at the end of line 13, delete the word "provided" and delete lines 14 and 15 in their entirety.

The chairman called for a vote on the amendment and reported the amendment failed. Mr. Flory requested a roll-call vote. The roll-call vote was taken, resulting in five "FOR" and nine "AGAINST". Those voting for the amendment were Flory, Fulco, Landrum, Alexander and Newton. Those voting against were Thistlewaite, Drew, Lowe, Planchard, Womack, Segura, Carmouche, Casey, and Denberry. The amendment failed. The resolution then was adopted as presented. A copy thereof is attached to and made a part of these minutes as Executive Committee Resolution No. 8 of March 27, 1973.

Mr. Casey presented the next resolution on behalf of the Subcommittee on Staff and Personnel, explaining briefly that this resolution would authorize payment of expenses incurred by convention employees while traveling on business of the convention and its committees. Mr. Casey moved adoption. The resolution was adopted and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 9 of March 27, 1973.

Mr. Casey presented the next resolution on behalf of the Subcommittee on Staff and Personnel. He read the resolution and explained that in delegating authority to the Director of Research to employ additional professional personnel it would not be necessary to bear the expenses incurred in the meeting of the subcommittee and the Executive Committee whenever a research person is to be employed, as is necessary under the present system. Mr. Casey moved adoption of the resolution.

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After a lengthy discussion, in which the subject of discrimi-

nation was again an issue, plus whether or not the Executive Committee could delegate this authority to the Director of Research with the decision that it could, the resolution was adopted. A copy is attached to and made a part of these minutes as Executive Committee Resolution No. 10 of March 27, 1973.

Chairman Henry stated the revised pay schedule requested earlier in this meeting and which would replace the resolution earlier tabled, the sixth resolution, was now ready and asked that Mr. Casey proceed with an explanation of the resolution. Mr. Casey explained that an amendment to the first page of this resolution was now necessary, due to the adoption of Resolution No. 10. The amendment necessary to accomplish the necessary deletion should read as follows:

On page 1, line 19, after the word "exhibit" change the comma (,) to a period (.) and delete the remainder of the line; delete lines 20 through 25 in their entirety.

Mr. Casey moved adoption of the amendment. The amendment was adopted.

Peverend Alexander moved that the resolution be further amended to require the Director of Research to report all changes in personnel to the next subsequent meeting of the Executive Committee. The amendment was adopted. Mr. Casey then moved adoption of the resolution, as amended and including the revised pay scale as the attachment. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 6 of March 27, 1973, with

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the revised pay scale attached as Schedule A and the previously introduced pay scale attached as Schedule B.

Mr. Harmon Drew offered a motion that the committee go into executive session for consideration of recommendations of the Subcommittee on Staff and Personnel of particular applicants to be employed by the research staff. The motion was adopted, and the committee went into executive session.

In open session the chairman asked for the recommendations for research staff personnel from the Subcommittee on Staff and Personnel. Mr. Casey presented a resolution on behalf of the subcommittee for the employment of Dr. Jerry M. Hood at \$1800 per month. He moved adoption of the resolution. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 11 of March 27, 1973.

Chairman Henry requested that Mr. Lowe now present any resolutions he had for consideration by the committee.

Mr. Lowe presented a resolution to authorize the Chairman of the Convention to enter into a contractual agreement with the Division of Administration for the rental of office machines and equipment and moved for adoption of the resolution. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 12 of March 27, 1973.

Mr. Lowe presented the next resolution, explaining that it authorizes the Chairman of the Convention or his duly authorized representative to approve all payments of per diem heretofore

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or hereafter made to the delegates to C.C./'73. He moved for adoption of the resolution. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 13 of March 27, 1973.

The next resolution presented, Mr. Lowe explained, would authorize the Chairman of the Convention or his duly authorized representative to approve payments heretofore or hereafter made to the sergeant-at-arms being utilized by C.C./'73. Mr. Lowe moved adoption of the resolution. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 14 of March 27, 1973.

There being no further business, the chairman announced the chair would entertain a motion to adjourn. Mr. Carmouche moved that the meeting adjourn. The motion passed and the meeting adjourned at 6:50 P.M.

E.L. Henry, Chairman

Moise W. Denney, Secretary



WHITE HOUSE INNS  
AND AFFILIATES

March 27, 1973

The Honorable E. L. Henry  
Chairman of the Transitional Constitutional Convention, 1973  
State Capitol Building  
Baton Rouge, La.

Dear Mr. Henry:

The White House Inn Inc. of Baton Rouge offers the use of Independence Hall and the Pines Room for the use of the Transitional Convention.

All prices quoted are based on cost. Mr. Tim Vance of Gulf States Utilities has given us a cost breakdown of electricity for light, heat and power. The charges listed below are based on a meter cost basis. These charges will be made for the convention on these items that they are actually using the electricity.

Independence Hall	
Heat, Light and Power	
(Estimated of gas and electric)	\$85.00
Labour and Linens	
(Set-up, break-down and clean-up)	
Full room attendance	\$115.00

Pines Room	
Heat, Light and Power	
Labour and Linens	
Total	\$240.00

If the committee requires additional meeting space we would be very happy to make arrangements to allow them the use of rooms at a cost of \$200 dollars per day. This would cover the cost of dinner, set-up, break-down and clean-up.

- |  |   |   |
|--|---|---|
| <ul style="list-style-type: none"> <li>o White House Inn</li> <li>215 North 1st Street</li> <li>Atchafalaya 70003</li> <li>(504) 555-7400</li> </ul>   | <ul style="list-style-type: none"> <li>o White House Inn</li> <li>237 West 1st Street</li> <li>Chalmette 70002</li> <li>(504) 352-1121</li> </ul>   | <ul style="list-style-type: none"> <li>o White House Inn</li> <li>1815 North 1st Street</li> <li>Baton Rouge 70801</li> <li>(504) 348-0114</li> </ul> |
| <ul style="list-style-type: none"> <li>o Pines of Mobile Inn</li> <li>215 North 1st Street</li> <li>Chalmette 70002</li> <li>(504) 352-1121</li> </ul> | <ul style="list-style-type: none"> <li>o The Haystack Inn</li> <li>215 North 1st Street</li> <li>Chalmette 70002</li> <li>(504) 352-1121</li> </ul> | <ul style="list-style-type: none"> <li>o L'Esperance Inn</li> <li>1815 North 1st Street</li> <li>Baton Rouge 70801</li> <li>(504) 348-0114</li> </ul> |



# WHITE HOUSE INNS AND AFFILIATES

We will construct in Independence Hall a partition barrier 50 feet in length, 4 feet in height for the use of the voting system. The Twenty Room will also be divided into partitions on the manner prescribed by the person designated which would last until the convention. The cost of construction for the partitions will be based on a cost of labor and material. We will schedule the construction time and for the hours of the computer and the sources of the materials used. This will assure you of the cost factors.

I am looking forward to being of further service to you. I am  
Cordially,

WHITE HOUSE INN  
Ruth Miller  
Found. Pres.  
General Manager

W/Enc

CC to Mrs. Ruth Miller

<p>• White House Inn 200 Madison Street N.E. Atlanta, Georgia 30303 (404) 659-2000</p>	<p>• White House Inn 210 West Lake Street Chattanooga, Tennessee 37403 (615) 251-3121</p>	<p>• White House Inn 1515 South Industrial Birmingham, Alabama 35217 (205) 319-0111</p>
<p>• Parkside at Mount Airy 1914 East Third Street Charlotte, North Carolina 28203 (704) 331-1100</p>	<p>• The Hamilton Inn The Hamilton Hotel Dayton, Ohio 45402 (513) 277-1421</p>	<p>• Wardsburg Inn The Hamilton Hotel South Miami, Florida 33154 (305) 312-1111</p>

Initiation Office: 375 Park Avenue New York, N.Y. 10022

Administration Office: 70 Houston Street, New York, New York 10002

## A RESOLUTION

BE IT RESOLVED by the Executive Committee of the Louisiana Constitutional Convention of 1973 that the chairman of the convention is hereby authorized and directed to let for public bidding through the Division of Administration, in accordance with the provisions of law for letting public contracts a contract for the lease or rental of a high speed electronic voting machine system to be installed at the convention site for the use of the convention.

BE IT FURTHER RESOLVED that the specifications for such high speed electronic voting machine system shall be substantially in conformity with the specifications appended hereto, provided that the chairman of the convention shall be authorized to make such alterations in said specifications as he may deem necessary for the effective letting of such contract.

BE IT FURTHER RESOLVED that the chairman of the convention is hereby authorized and directed to request that the Commissioner of Administration certify and let this contract in accordance with the emergency bid letting procedures of state law.

ADOPTED: March 27, 1973

## SPECIFICATIONS FOR ELECTRONIC VOTING SYSTEM IN THE "INDEPENDENCE HALL" CONVENTION FACILITY OF THE WHITE HOUSE INN, BATON ROUGE, LOUISIANA FOR THE USE OF THE LOUISIANA CONSTITUTIONAL CONVENTION OF 1973

### I. GENERAL PROVISIONS

- Furnish all labor, materials, parts, tools, equipment and services necessary to install on a rental-maintenance basis a high speed legislative type electronic voting system in the "Independence Hall" Convention facility at the White House Inn, Baton Rouge, Louisiana for the use of the Louisiana Constitutional Convention of 1973.
- Contractor shall furnish and pay for all labor, materials, tools, parts, equipment and services necessary for the complete installation of the voting system and removal of same upon termination of contract period.
- Contractor shall be responsible for the safe operation of all tools and equipment used in installing the voting system.
- Contractor shall erect and maintain at all times necessary temporary barricades, signs and other safeguards necessary for the protection of the public, building employees, and his workers in areas where work is being done.
- All work under this contract shall be subject to inspection and examination by a representative of the Louisiana Constitutional Convention and he shall have the right to reject any work found to be defective or unsatisfactory and he shall have the right to require correction.

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- All bidders are requested to visit the building and areas where work is to be done and familiarize themselves with existing conditions before bidding.

Constitutional Convention of the State of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 1 of March 27, 1973  
Introduced by: Mrs. Miller on behalf of the Site Selection Subcommittee

## A RESOLUTION

BE IT RESOLVED that the Executive Committee authorizes and directs the Chairman of the Convention to enter into a contractual agreement with the White House Inn, Inc. for the use of Independence Hall and other such areas in the White House Inn as necessary for the assembled Convention for the period beginning July 5, 1973 and extending to the conclusion of the Convention.

BE IT FURTHER RESOLVED that the Chairman of the Convention with the approval of the Executive Committee may authorize the partitioning and renovation for convention purposes of areas within Independence Hall and the White House Inn, the cost of said partitioning and renovation to be at the expense of the Convention.

BE IT FURTHER RESOLVED that the Treasurer of the Convention shall be authorized to expend from the funds of the Convention an amount of two hundred and forty dollars per day for each day in which the facilities of Independence Hall and the White House Inn are in use by the convention in session, plus an amount not in excess of ten dollars per day for each additional meeting room which may be authorized by the Chairman. This authorization shall be subject to the accounting and purchasing procedures established by the Executive Committee.

APPROVED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 2 of March 27, 1973  
BY: Mrs. Miller on behalf of the Site Selection Subcommittee

- G. Contractor shall be responsible for any and all damages caused by himself or his workmen under this contract.
- H. Care shall be taken so as not to damage any part of the building, building equipment, floors or furniture.
- I. Contractor shall furnish competent supervision of all work under this contract at all times.
- J. Contractor shall obtain and pay for all permits or fees required to install electronic voting system called for herein.
- K. The word "Contractor" shall mean the manufacturer of high speed electronic legislative type voting systems, or his designated agent or representative, who shall also guarantee to furnish maintenance of voting system referred to herein.
- L. All electrical wiring and equipment shall conform with the rules and regulations of the latest, current edition of the National Electric Code and shall meet all applicable requirements of the State of Louisiana and the City of Baton Rouge Electric Codes.
- M. The equipment shall be fully installed and operative not later than June 30, 1973.

## II. SPECIFICATIONS OF VOTING SYSTEM

### A. General Specifications:

1. The voting system shall consist of the following:
  - a. Recorder
  - b. (132) Delegate Voting Stations
  - c. Main Indicator Board
  - d. Clerk's Control Panel(s)

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2. The bid shall cover the above and all necessary mechanical, electronic and other equipment incident to a high speed electronic voting system, it being the intent of these specifications to include all work, equipment, and service necessary to install and maintain a modern, high speed legislative type electronic voting system and remove the same upon termination of contract period.

### B. Recorder

1. The recorder shall operate at high speed, recording individually and totaling members votes at the same time: Yes, Nay and Not Voting.
2. Recorder shall automatically eject a perforated or printed roll call record, in duplicate or triplicate, which shall show:
  - a. Each members vote: Yes, Nay, or Not Voting
  - b. Total number of Yes, Nays and Not Voting
  - c. The measure (instrument) number
  - d. The date
3. Control controls shall be designed to give the Clerk the option of retaining the vote locked in the recorder and he will be able to reproduce as many identical additional copies of roll call record, in duplicate or triplicate, as needed.
4. Recorder shall be equipped with automatic continuous roll call form feed mechanism, automatically ejecting each record and automatically bringing each subsequent entrance form into recording position. It shall not be necessary to insert roll call sheets into the recorder when a record is required.
5. Recorder shall be high speed, mounted on rubber to reduce noise, and installed in wood cabinet at the location of the designate Convention

site. The inside of the wood cabinet shall be sound-proofed to reduce noise to a minimum.

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6. Recorder shall be installed with a minimum number of electrical connections.

### C. Delegate Voting Stations

1. Voting stations shall be of modern design toggle handle or push button type.
2. Voting stations shall have a minimum number of parts so as to increase reliability.
3. Voting stations shall register Yes or Nay when voted and shall register Not Voting automatically when not voted. Yes button or Yes side of Toggle handle shall be engraved or printed with the word Yes and the Nay side or Toggle handle shall be engraved or printed with the word Nay. Light indicators shall be optional with the bidder. Voting circuits shall be open during voting period only, and shall be locked during and after recording the vote. Further the circuits shall be capable of being restored to the normal (not voting) position either automatically or by the Clerk.
4. Voting stations shall not have release buttons. If Toggle handle switch is used, by flipping the Toggle handle from Yes to Nay, a member shall be able to change his or her vote. If push buttons are used, by depressing the opposite button, the previously pressed button shall return to its normal position.
5. Each voting station shall be equipped with a lock which will make voting station inoperative when locked. In the alternative, a master "lock-out" system shall be installed in a manner and place designated by the representative of the Constitutional Convention.
6. There shall be 132 voting stations provided in designated positions at the designated site. The Chairman's station shall be conventionally installed in Chairman's rostrum.

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7. Voting Stations shall be mounted in steel boxes or an acceptable substitute therefor.
8. Contractor shall alter members desk tops to receive voting stations as directed.
9. Voting Stations shall be so operative as not to be thermally hot under any conditions.
10. Voting stations shall have lock type terminal connectors.

### D. Controls at Clerks Desk for Voting Systems and Recorder

The following controls shall be installed at the Clerk's desk:

1. Opening and closing switch for opening and closing voting stations so that when switch is open members may vote and when switch is closed voting stations are locked as voted or not voted.
2. Final record switch or other control for automatically ejecting two or more copies of Roll Call Record.
3. A gong switch which shall be located adjacent to open (er vote) switch and which shall sound gong when activated.
4. A power switch which will render the entire voting system operative or inoperative by removal of power. Switch may be otherwise located by agreement.

5. A push button console matrix or switches which will permit the Clerk to set up and display on the Main Indicator Board an "instrument number display" containing two prefix letters and four numeral digits thereafter. The prefix letters shall be: DP, CP, DR, CR. Subsequent numerals shall display successively from 1 to 9999.
6. The Clerk shall also have in the push button console matrix or have switches to set up the following "status" or "type vote" indicators in connection with the instrument number display: "Final Passage" (or appropriate abbreviation therefor); "Amend"; "Motion"; "Quorum".

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7. The controls specified in items (5) and (6) above shall be designed so that once the Clerk "punches up" a display or "instrument number" or "status" indication, either of two conditions can be prescribed appropriate switch operation:

- a. Automatic clearance or one or both displays at completion of next record punching activity or recorder.

or

- b. Retention of one or both of these displays for as many punched record operations as desired. A release feature shall be incorporated for manual (i.e. non-automatic) release under this condition.

#### E. Roll Call Record Sheets

1. The contractor shall design Roll Call Record sheets, subject to approval by the Chairman, for use in recorders installed, and shall be able to furnish printed Roll Call Record Sheets or shall design Roll Call Record sheets and furnish all particulars necessary to enable a printer selected by the Convention to print Roll Call Record sheets, and shall cooperate with selected printer in every respect.

#### F. Main Indicator Boards

1. The main indicator board shall contain each delegates name in alphabetical order (top to bottom) and shall have a lighted green and a small lighted red indicator light directly behind or before each member's name so that the Yea and Nay vote of each member shall be displayed to all occupants of the Chamber. Multiple columns may be employed for display of members names. A single (alternating green and red) light may be employed in lieu of two lights.

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2. "Mr. Chairman" shall be used in lieu of the Chairman's name and shall appear first in the alphabetical listing of delegates.
3. The main indicator board shall contain those display features set forth in items D(5) and D(6) above.

#### (I). GUARANTEES AND REQUIREMENTS UNDER RENTAL/MAINTENANCE AGREEMENT

- A. The contractor shall guarantee to furnish under the agreement a modern high speed electronic voting system during period of contract and furnish complete maintenance of said voting system. In particular during the entire contract period the contractor shall furnish all supplies required for the operation of the system and shall provide complete maintenance service for the system including: (1) testing, checking, adjusting and making any and all repairs prior to the convening of the Convention in July; (2) promptly making any and all emergency calls (within twenty-four

(24) hours) during any session of the convention, and (3) when necessary, replacing any parts that have become worn, obsolete or otherwise in need of replacing, without any additional cost to the Convention.

- B. Contractor shall furnish factory trained personnel to instruct the Clerk of the Convention in the operation of the new electronic voting system in every respect. Said factory trained personnel shall be in listen ready and available at the Convention site to assist the Clerk at all times while the Convention is in Session for the first week of the session commencing on July 5, 1973.

#### IV. CONTRACT AND CONTRACT PERIOD

- A. The contract shall provide for a rental and maintenance agreement for all equipment incident to the high speed electronic voting machine commencing on June 30, 1973 for a period of seven (7) months. The contractor shall be responsible for removing all such equipment upon the expiration of said period of time.

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- B. The convention shall have the right to provide for the removal of the voting machine system at any time prior to the expiration of said time period.

#### V. BIDS

- A. All bids shall reflect a single unit price for the rental, maintenance and removal contract which shall be based in conformity with the specification herein prescribed.
- B. Any bidders desiring to bid an incorporated feature or service in excess of these specifications may designate in his bid the additional feature(s) or service(s) incorporated therein.

#### VI. PERFORMANCE BOND

- A. The successful bidder shall furnish a performance bond in the amount of the contract price.

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Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 3 of March 27, 1973

Introduced by: Mr. Flory

#### A RESOLUTION

BE IT RESOLVED that all amendments to Executive Committee Resolutions and amendments thereto shall be submitted in writing before they are considered by the Committee.

ADOPTED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 4 of March 27, 1973

Introduced by: Mr. Henry

#### A RESOLUTION

BE IT RESOLVED that the Executive Committee Resolution of February 22 concerning charges for document reproduction is

hereby suspended as it applies to the press.

BE IT FURTHER RESOLVED no charges for convention documents shall be levied against any member of the working press who desires such documents in carrying out his duties as a member of the working press.

ADOPTED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO.5 of March 27, 1973

Introduced by: Mr. Henry on behalf of Mr. Juneau

#### A RESOLUTION

BE IT RESOLVED that the Convention Reporter prepared by the Public Information Committee shall be made available to interested parties on a subscription basis. The cost of said subscription shall be ten dollars for the duration of the convention.

ADOPTED: March 27, 1973

#### RESEARCH STAFF LOUISIANA CONSTITUTIONAL CONVENTION OF 1973

Number	Job Classification	Rate Per Month
2	Research Coordinator - Legal (Includes Federal Constitution)	\$ 2,000 - \$ 2,000
1	Research Coordinator - Political Science	2,000 - 2,000
1	Sr. Research Assistant (Public Information)	1,250 - 1,600
12 - 14	Senior Research Assistants	1,250 - 1,600
12 - 14	Junior Research Assistants	1,000 - 1,200
1 - 3	Law Clerks	600 - 750
1	Executive Secretary	750 - 850
1	Administrative Assistant	750 - 850
1	Librarian	600 - 650
1	Docket Clerk	450 - 550
1	Assistant Docket Clerk	350 - 450
1	Clerical Services Supervisor (Assist Secretarial Pool)	750 - 850
12 - 14	Secretaries (Steno-Clerks)	600 - 800
4 - 6	Clerk Typists	
	2 - Regular Electric	500 - 600
	2 - MT/ST	600 - 750
1	Receptionist (Receiving and Channeling Visitors, telephone operator; mail clerk)	400 - 500
4 - 6	Proofreaders	500 - 600
1	Duplicating Machine Operator	500 - 600
1 - 2	Duplicating Machine Helpers	400 - 450
2	Messengers	300 - 350

ADOPTED: 3/27/73  
(Date)

Constitutional Convention of Louisiana  
EXECUTIVE COMMITTEE RESOLUTION NO. 6 of March 27, 1973  
Introduced by Mr. Casey

#### RESEARCH STAFF LOUISIANA CONSTITUTIONAL CONVENTION OF 1973

Number	Job Classification	Rate Per Month
1	Research Coordinator - Legal (Includes Federal Constitution)	\$2,000 - \$2,000
1	Research Coordinator - Political Science	2,000 - 2,000
1	Sr. Research Assistant (Public Information)	1,167 - 1,333
12 - 14	Senior Research Assistants	1,167 - 1,333
12 - 14	Junior Research Assistants	900 - 1,000
1 - 3	Law Clerks	600 - 750
1	Executive Secretary	750 - 750
1	Administrative Assistant	750 - 750
1	Librarian	500 - 550
1	Docket Clerk	350 - 400
1	Assistant Docket Clerk	325 - 350
1	Clerical Services Supervisor (Assist Secretarial Pool)	650 - 700
8 - 10	Secretaries (Steno-Clerks)	500 - 600
4	Clerk Typists	400 - 450
	2 - Regular Electric	450 - 500
	2 - MT/ST	
1	Receptionist (Receiving and Channeling Visitors; telephone operator; mail clerk)	360 - 380
2 - 4	Proofreaders	400 - 500
1	Duplicating Machine Operator	450 - 500
1 - 2	Duplicating Machine Helpers	300 - 350
2	Messengers	300 - 350

ADOPTED: (NOT ADOPTED)  
(Date)

ADOPTED: March 27, 1973

THIS SCHEDULE WAS REPLACED BY SCHEDULE A

Staff and Personnel Subcommittee

March 26, 1973

Committee	Present	Absent	Excused	Not Voting
Bill of Rights, etc.	1	0	1	1
Legislative Process and Rules	1	0	1	1
Executive Department	1	0	1	1
Judiciary	1	0	1	1
Education and Culture (Subcommittee)	1	1	1	1
Natural Resources and Environment	1	0	1	1
Local Government	0	1	2	2
Revenue, Finance and Taxation (Subcommittee plus Property Tax Committee of Council)	1	1	2	2
Executive Committee and its subcommittee of coordination of staff, etc.				1
Beginning July 1, 1973				
Rules, Constitution, etc.				unpresented
Staff and Personnel				1
Legislation, Finance and Taxation				1
Public Safety	1	1	1	1

Constitutional Convention of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 7 of March 27, 1973

Introduced by: Mr. Casey

A RESOLUTION

Relative to the employment of part-time research personnel for the Research Staff.

BE IT RESOLVED that the Director of Research is authorized to employ, with the approval of the Chairman of the Convention and the Chairman of the Subcommittee on Staff and Personnel, not more than four part-time senior research employees and that the compensation of persons so employed shall be based upon the monthly amounts set forth for senior research assistants in the Pay Plan adopted by this Executive Committee.

ADOPTED: March 27, 1973

Constitutional Convention of Louisiana

EXECUTIVE COMMITTEE RESOLUTION NO. 8 of March 27, 1973

Introduced by: Mr. Casey

A RESOLUTION

Relative to the employment of students to assist the Research Staff.

BE IT RESOLVED that the Director of Research is authorized to employ not more than four students to assist the Research Staff and that such employment shall be at hourly rates of pay

not in excess of the rates paid student employees by the Louisiana Legislative Council; provided that no student so employed shall be paid time and a half for any hours worked over forty hours per week.

ADOPTED: March 27, 1973

Constitutional Convention of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 9 of March 27, 1973

Introduced by: Mr. Casey

A RESOLUTION

Relative to expenses incurred by Convention employees for necessary travel on business of the Convention and its committees.

BE IT RESOLVED that expenses heretofore or hereafter necessarily incurred by employees of the Convention for travel outside the city of Baton Rouge, when duly authorized as hereinafter provided, shall be an expense of and shall be paid out of the funds of the Convention.

BE IT FURTHER RESOLVED that all such travel expenses, including expenses of lodging, meals and travel, shall be paid only for out of town meetings which are approved by the chairman of the convention and the chairman of the committee for which such travel is to be done, and, with respect to employees of the Research Staff, upon specific assignment by the director of research, and then only in accordance with the provisions of law and regulations of the Commissioner of Administration applicable to public officials and state employees.

ADOPTED: March 27, 1973

Constitutional Convention of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 10 of March 27, 1973

Introduced by: Mr. Casey

A RESOLUTION

BE IT RESOLVED that authority is hereby delegated to the Director of Research, with the advice and approval of the Chairman of the Convention and the Chairman of the Subcommittee on Staff and Personnel, to employ necessary additional professional personnel for the Research Staff, including additional junior and senior research assistants.

ADOPTED: March 27, 1973

Constitutional Convention of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 11 of March 27, 1973

Introduced by: Mr. Casey

# A RESOLUTION

Relative to the employment of Dr. Jerry M. Hood

BE IT RESOLVED that the Executive Committee of the Constitutional Convention of 1973 hereby approves the employment of Dr. Jerry M. Hood at a salary of eighteen hundred dollars (\$1800) per month and directs the Director of Research to proceed with such employment.

APPROVED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 12 of March 27, 1973

Introduced by: Mr. Lowe

# A RESOLUTION

To authorize the Chairman of the Convention to enter into a contractual agreement with the Division of Administration for the rental of office machines and equipment.

BE IT RESOLVED that the Executive Committee authorizes and directs the Chairman of the Convention to enter into a contractual agreement with the Division of Administration which shall contain provisions for (1) the rental of typewriters, calculators, and recording and transcribing equipment, more accurately described as Items 1 through 6 and Item 19 of the attached schedule, at the monthly rate of 1/24 of the cost of said equipment; and (2) the rental of desks, file cabinets, book shelves, office furniture, fixtures and miscellaneous equipment, more accurately described as Items 7 through 18 and Item 20 of the attached schedule, at the monthly rate of 1/36 of the cost of said equipment.

BE IT FURTHER RESOLVED that the effective date of said rentals is to be April 1, 1973, or such later dates as the equipment is delivered for use. This authorization shall be subject to the accounting and purchasing procedures established by the Executive Committee.

APPROVED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 13 of March 27, 1973

Introduced by: Mr. Lowe

# A RESOLUTION

To authorize the Chairman of the Convention or his duly authorized representative to approve all payments of per diem heretofore or hereafter made to the delegates to CC/73.

BE IT RESOLVED that the Executive Committee authorizes and directs the Chairman of the Convention or his duly authorized representative to approve the payment of all per diem heretofore or hereafter made to the delegates of the Consti-

tutional Convention of the State of Louisiana of 1973.

BE IT FURTHER RESOLVED that all payments shall be in compliance with the provisions of Act 2 of 1972. This authorization shall be subject to the accounting and purchasing procedures established by the Executive Committee.

APPROVED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 14 of March 27, 1973

Introduced by: Mr. Lowe

# A RESOLUTION

To authorize the Chairman of the Convention or his duly authorized representative to approve payments heretofore or hereafter made to the sergeant-at-arms being utilized by CC/73.

BE IT RESOLVED that the Executive Committee authorizes and directs the Chairman of the Convention or his duly authorized representative to approve payments heretofore or hereafter made to the sergeant-at-arms for services rendered to the Convention or its various committees and subcommittees. This authorization shall be subject to the accounting and purchasing procedures established by the Executive Committee.

APPROVED: March 27, 1973

Page 4  
1973

List of bills to be Approved for Payment

Division of Constitution (Printing & Postage)	62.00
Berts Camera Shop (Supplies)	12.74
Booker, Inc. (Office Supplies)	14.79
L.H. Co. (Office Equipment)	491.40
La. Office Supply (Office Supplies)	269.11
La. House of Reps. (Rental of Service)	638.25
Olivetti Corp. (Rental of Equipment)	92.40
Hemel Butler Shop (Office Supplies)	2.16
Reine Mailery	282.51
Parsons Land Inc. (Sales Comp. 1/5, 1/7, 8)	236.77
West Publishing (Sales of Constitution)	680.00
White House Inn (Sales 1/12)	12.72
Metropolitan Press Clipping Service	29.60

Total \$ 2,825.45

(1)

CONSTITUTIONAL CONVENTION OF THE STATE OF LOUISIANA  
EXPLANATION OF THE BILLS

General Convention	
Office Supplies	543.96
Printing	351.31
Per diem for Delegates	56,400.00
Meeting Expense	30,000.04
Tel and Mail	94.20
Postage	30.82
	87,800.33
Clerk's Office Salary	1,615.00
Finance Salary	201.12
	89,616.65



Executive Committee:		
Delegate Per Diem	3,200.00	
Meeting Expense	<u>200.00</u>	<u>3,400.00</u>
Committee on Committees:		
Delegate Per Diem	1,750.00	
Meeting Expense	<u>190.00</u>	<u>1,940.00</u>
Sales Committee:		
Delegate Per Diem	<u>2,400.00</u>	<u>2,400.00</u>
Composite Committee:		none
Research Staff:		
Salary	3,145.20	
Equipment Rental	92.70	
Office Supplies	367.47	
Postage	<u>300.00</u>	<u>3,905.37</u>
Procedural Committees 1 thru 4		none
Substantive Committees 1, 2, 5, 6, 7 & 8		none
Substantive Committee 3		
Meeting Expense	<u>16.33</u>	<u>16.33</u>
Substantive Committee 4		
Meeting Expense	<u>4.24</u>	<u>4.24</u>

TOTAL: Month of February 1971 \$101,374.66

(2)

CONSTITUTIONAL CONVENTION  
FINANCIAL CONDITION @ 3/27/73

	* ESTIMATED BUDGET	FUNDS DISBURSED	OUTSTANDING OBLIGATIONS	ESTIMATED EXPENSE 3/31	TOTAL EXPENDITURES	BALANCE
EXPENSES:						
Salaries:						
Research		\$ 21,843.54		1) \$13,000.00	\$ 34,843.54	
Assistant Clerks		3,588.68			3,588.68	
Clerical		870.62			870.62	
Total Salaries	\$124,000.00	\$ 26,302.84		\$13,000.00	39,322.14	\$ 84,677.86
Staff Retirement A/O Social Security	\$ 12,400.00	\$ 177.57		\$ 1,896.93	\$ 2,074.50	\$ 10,325.50
Staff Travel	\$ 4,000.00	-0-		-0-	-0-	\$ 4,000.00
Delegates Per Diem		\$ 64,300.00	\$2,950.00	\$25,100.00	\$ 92,350.00	
Other Meeting Expense		33,337.99	249.49	-0-	33,607.48	
Total Meeting Expense	\$143,800.00	\$ 97,637.99	\$3,199.49	\$25,100.00	\$125,957.48	\$ 17,842.52
Other Expense:						
2) Delegates Travel	\$ 7,272.00					\$ 7,272.00
Delegates Retr. A/O Social Security		\$ 92.70	\$ 731.63		\$ 824.33	\$ 7,655.67
Office Equipment & Rental	8,500.00	1,063.14	1,249.38		2,312.52	6,187.48
Printing & Office Supplies					938.92	(938.92)
Postage		94.20		\$ 450.00	544.20	(544.20)
Telephone & Telegraph		29.00			29.00	(29.00)
Fees & Subscriptions	8,000.00					8,000.00
Daily Journal	33,528.00					33,528.00
Contingencies						
Total Other Expenses	\$ 65,600.00	\$ 2,217.96	\$1,981.01	\$24,450.00	\$ 28,648.97	\$ 37,131.03
GRAND TOTALS	\$350,000.00	\$176,356.36	\$5,180.50	\$40,446.93	\$171,983.79	\$178,016.21

\*As probably estimated by the Legislature and does not include Board of Liquidation - \$90,000.00

- 1) To be reimbursed to other agencies for employees on loan & does not include accrued payroll 3/24-3/31
- 2) Accrued thru January 30 - \$10,004.00, Estimated February & March - \$14,000.00 - Representative Romack has indicated that he will seek authorization to pay travel expense for delegates.

(3)

LOUISIANA CONSTITUTIONAL CONVENTION '73  
SCHEDULE OF EQUIPMENT TO BE LEASED  
FROM LOUISIANA SURPLUS PROPERTY ACCOUNT

DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT	18 MOS	MONTHLY RATE 24 MOS	36 MOS
1. I.B.M. "Selectric" II Typewriter Deal Pitch, Black with elements: Orator, Courier, Legal, Prestige Elite Legal, Letter Gothic Add on:	15	584.01 55.62	8,760.15 834.30			
		639.63	9,594.45	533.02	399.76	265
2. Remington Electric Typewriters with 13 inch carriage type style 934-10	10	380.07	3,800.70	211.15	158.36	102
3. Remington Printing Calculator Model #411	1	230.31	230.31	12.79	9.60	6
4. Remington Electric Calculator Battery Operated - Model #801B	4	148.28	593.12	32.95	24.71	16
5. I.B.M. "Executary" Microphone Input Unit #271 Black	4	509.85	2,039.40	113.30	84.97	52
6. I.B.M. "Executary" Transcriber #272	4	509.85	2,039.40	113.30	84.97	52
			18,297.38	1,016.51	762.37	528
<u>DESKS, FILES, ETC.</u>						
7. Desks #460300 TM #537 Desert Sage	7	180.15	1,261.05	70.06	52.54	31
8. Desks #322015R #322457UL Black with walnut top	6	283.50	1,701.00	94.50	70.87	41
9. Desks #322041 Black with Walnut Top	1	252.35	252.35	14.02	10.51	7
10. Desks #32221 Black with Walnut Top	4	198.13	792.52	44.03	33.02	21
11. Files #1771L #537 Desert Sage	2	72.06	144.12	8.01	6.00	3
12. Files #1771L #537 Desert Sage	17	72.06	1,225.02	68.06	51.04	31
13. Files #1741L #537 Desert Sage	12	121.68	1,460.16	81.12	60.84	37
14. Bookcase #2294 Desert Sage	5	69.79	348.95	19.39	14.34	9
15. Storage Cabinet #702-591 Desert Sage	1	76.71	76.71	4.26	3.20	2
16. #3402L 4-Drawer file cabinet with lock, legal size	1	121.69	121.69	6.76	5.07	3
17. Full Height Book Units for Law Books	2	69.45	138.90	7.72	5.79	3
			7,522.47	417.93	313.42	211

LOUISIANA CONSTITUTIONAL CONVENTION '73  
 SCHEDULE OF EQUIPMENT TO BE LEASED  
 FROM LOUISIANA SURPLUS PROPERTY ACCOUNT

<u>DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>	<u>18 MOS</u>	<u>MONTHLY RATE 24 MOS</u>	<u>36 MOS</u>
18. Line-A-Time - Model T	10	21.84	218.36	12.13	9.10	6.07
19. Recording Systems and Accessories (8 complete units)	8	308.49	2,467.88	137.10	102.83	68.55
20. Office and Steno Chairs	70	50.16	3,511.54	195.09	146.31	97.51
			<u>6,197.78</u>	<u>344.32</u>	<u>238.24</u>	<u>172.52</u>
GRAND TOTALS			<u>32,017.63</u>	<u>1,778.76</u>	<u>1,334.03</u>	<u>859.27</u>

(5)

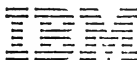
## International Business Machines Corporation

Please remit to PO BOX 1141, ATLANTA, GA 30301

Inquire at 2526 SHERK RD EST BLVD, BATON ROUGE LA 70816 TEL 504-927-9040

Customer reference  
C B FERGOLSTON JRDiv  
7Invoice number  
8A36376Invoice date  
03/15/73Page number  
01

## Sold to

STATE OF LOUISIANA  
CONSTITUTION CONVEN 73  
RESEARCH STAFF  
PO BOX 44473  
BATON ROUGE LA 70804

INVOICE COPY

IBM account no.  
53184-54  
00

## Shipped to

STATE OF LOUISIANA  
CONSTITUTION CONVEN 73  
LSU LAW SCH  
BATON ROUGE LA 70803Terms: Net cash 30 days from invoice date  
Subject to the conditions on the reverse side

Quantity	Description						Amount
RENTAL INVOICING FOR IBM OFFICE PRODUCTS EQUIPMENT							
AGREMT	TYPE	FROM	THRU	SERIAL	EQUIPMENT		
066-903	1 MONTH	02-23-73	03-22-73	5133684	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5139211	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5145493	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5146514	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5152786	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5152787	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5159677	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5315926	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5321361	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5490586	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5510294	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5512689	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5564637	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5612587	SELECTRIC TYPE.		32.00
066-903	1 MONTH	02-23-73	03-22-73	5664570	SELECTRIC TYPE.		32.00

8A36376

Please refer to invoice number or  
return invoice copy when remitting

CONTINUED

MINUTES

Minutes of the ~~Regular~~ <sup>Special</sup> of the Executive  
Committee of the Constitutional Convention  
of 1973

Held pursuant to notice mailed by the Secretary  
of the Convention on May 2, 1973

State Capitol Basement, Room 10

Baton Rouge, Louisiana

Tuesday, May 8, 1973

Present: L. L. "Bubba" Henry, Chairman of the Executive  
Committee

Present

John A. Alario  
Rev. Avery C. Alexander  
Thomas A. Casey  
Norman D. Carnouche  
Ralph L. Cowen  
Moise Dennerly  
R. Harmon Drew  
Gordon Flory  
E. L. "Bubba" Henry  
Rev. Louis Landrum  
Herman "Monday" Lowe  
Autley B. Newton  
Arthur J. Planchard  
Perry Segura  
John R. Thistlewaite  
Anthony J. Vesich  
Shady Wall

Absent

Lawrence Chehardy  
Frank Fulco  
Ruth L. Miller  
Sen. Samuel B. Nunez  
Chris J. Roy  
Lantz Womack

The Meeting was called to order by the chairman at 10:15 a.m.

Roll call was taken and with a quorum present, the chairman  
stated that the committee would proceed with the business at  
hand.

By motions duly offered and passed the following reso-  
lutions were adopted and a copy of each is attached hereto  
and made a part of these minutes.

Executive Committee Resolution No. 1 of May 8,  
1973 - motion offered by Mr. Gordon Flory and  
unanimously passed.

Executive Committee Resolution No. 2 of May 8,  
1973 - motion offered by Mr. Thomas Casey on  
behalf of the Committee on Staff and Personnel  
and passed without objection.

Executive Committee Resolution No. 3 of May 8,  
1973 - motion offered by the named sponsors and  
passed without objection. Messrs. Flory and Lowe  
abstained from voting due to the fact that they  
live in Baton Rouge. Mr. Alario also abstained.

Executive Committee Resolution No. 4 of May 8,  
1973 - motion offered by Mr. Thistlewaite and  
passed without objection.

Executive Committee Resolution No. 5 of May 8,  
1973 - motion offered by Mr. Lowe for adoption of  
resolution with increase to become effective at  
the beginning of the next pay period. The motion  
passed without objection.

Executive Committee Resolution No. 6 of May 8,  
1973 - motion offered by Mr. Thomas Casey and  
passed without objection.

Executive Committee Resolution No. 7 of May 8,  
1973 - motion offered by Mr. Thomas Casey and  
passed without objection.

In consideration of the Treasurer's report, motions were  
duly offered and passed with the following results:

Page 1 of Attachment No. 8 -- with the explanation  
that the items listed on this page have been properly  
approved, Mr. Flory moved that the Treasurer  
be authorized to pay the bills as listed. Motion  
passed without objection.

Pages 2 through 5 of Attachment No. 8 were explained  
by Mr. Lowe and studied and considered by the commit-  
tee. No action was necessary.

Attachment No. 9 was presented for the committee's  
consideration. Attachment No. 10 reflects the  
actions of the committee with respect to Estimated  
Figures in Attachment No. 9.

In considering whether it is necessary for the Research  
Staff to keep all tapes of all committee meetings on file  
until further notice, Mr. Flory offered a motion that the  
tapes of meetings be erased after the minutes of each meet-  
ing are completed, thus allowing a great reduction in the  
cost incurred by purchase of tapes. After discussion, Mr.  
Casey offered a substitute motion to let each committee de-  
cide whether or not to keep the tapes of its meetings. The  
substitute motion passed with no objection.

A report of the research staff personnel was presented.  
A copy of the report is attached hereto and made a part of  
these minutes as Attachment No. 11.

The meeting adjourned at 1:15 p.m.

*E. L. "Bubba" Henry*  
E. L. "Bubba" Henry, Chairman

*Moise W. Dennerly*  
Moise W. Dennerly, Secretary

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 1 of May 8, 1973

By *Mr. Flory*

A RESOLUTION

To provide for the acceptance of low bid for a high speed electronic  
voting machine and the authorization of contract for same.

BE IT RESOLVED by the Executive Committee of the Louisiana

Constitutional Convention of 1973 that the Chairman of the Convention  
is hereby authorized to accept the low bid of twenty-two thousand  
dollars for a high speed electronic voting machine submitted by  
Daktronics, Incorporated of Brookings, South Dakota.

BE IT FURTHER RESOLVED that the Chairman of the Convention

is hereby authorized and directed to enter into contract with  
Daktronics, Incorporated for an high speed electronic voting machine  
as provided in the specifications let for bid under authority of  
Executive Committee Resolution No. 2 of March 27, 1973.

ADOPTED: May 8, 1973  
Date

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 2 of May 8, 1973

By Mr. Casey on behalf of the Subcommittee on Staff and Personnel

A RESOLUTION

To provide for the employment of Convention personnel by the Chief  
Clerk of the Convention and the Sergeant-at-Arms of the Convention.

BE IT RESOLVED that the Chief Clerk of the Convention is hereby

9 authorized to employ such personnel, with the approval of the Chairman  
10 of the Convention, as are necessary to carry out the tasks assigned  
11 the Chief Clerk under Rule 25 of the Rules of Procedure and such tasks  
12 as shall be assigned the Chief Clerk by the Secretary of the Convention  
13 under Rule 22 of the Rules of Procedure, including desk clerks, enrolling  
14 personnel and transcription personnel.

15 BE IT FURTHER RESOLVED that the rate of pay for such employees  
16 shall be established by the Chief Clerk with the approval of the Chairman  
17 of the Convention.

18 BE IT RESOLVED that with the approval of the Chairman the  
19 Sergeant-at-Arms shall employ and establish the rate of pay of assistant  
20 Sergeants-at-Arms.

21 BE IT FURTHER RESOLVED that with the approval of the Chairman the  
22 Chief Clerk and the Sergeant-at-Arms shall employ and establish the  
23 rate of pay of pages.

24 BE IT FURTHER RESOLVED that the Chief Clerk of the Convention and  
25 the Sergeant-at-Arms shall report to the Executive Committee the number  
26 and rate of pay of such personnel as are employed under the authorization  
27 of this Resolution.

ADOPTED: May 8, 1973  
Date

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 3 of May 8, 1973

By Messrs. Wall, *Chairman* and *Secretary* (circled)

#### A RESOLUTION

1 To establish a policy and procedure of the Convention relating to  
2 mileage expense payment.  
3 WHEREAS, the members of the Convention are full-time and appointees  
4 fully enmeshed in the emoluments of office before standing for election or  
5 accepting appointments; and

6 WHEREAS, several committees of the Convention are required to report  
7 to the full Convention that no public officials' emoluments shall be  
8 be increased during his term.

9 THEREFORE BE IT RESOLVED, by the Executive Committee of the Convention  
10 that it hereby establishes as its policy that allowances shall be given only  
11 those emoluments of office as provided in Rule 22 of the Rules of Procedure  
12 1972.

ADOPTED: May 8, 1973  
Date

Constitutional Convention of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 4 of May 8, 1973

Introduced by Mr. Lowe

#### A RESOLUTION

To authorize the Treasurer of the Convention to hire a part-time  
account-clerk to assist the Convention accountant

BE IT RESOLVED that the Treasurer of the Convention is hereby  
authorized to employ a part-time account-clerk to assist the  
Convention accountant, and that the compensation of the person so  
employed be at the rate of Two and 50/100 (\$2.50) Dollars per hour,  
not to exceed twenty-five hours per week.

ADOPTED: May 8, 1973  
Date

Constitutional Convention of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 5 of May 8, 1973

Introduced by Mr. Lowe

#### A RESOLUTION

To increase the salary of the accountant of the Convention

BE IT RESOLVED that the salary of the accountant of the Conven-  
tion is hereby increased to Eight Hundred Fifty and No/100 (\$850.00)  
Dollars per month.

ADOPTED: May 8, 1973  
Date

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 6 of May 8, 1973

Introduced by Mr. Causey

#### A RESOLUTION

1 Relative to the employment of a custodial worker for the  
2 Research Staff of the Convention.

3 BE IT RESOLVED that the Director of the Research  
4 Staff is hereby authorized to employ, or to enter into an  
5 agreement with Louisiana State University for the reim-  
6 bursement by the Convention of the salary of one custodial  
7 employee to service the Research Staff area at the LSU  
8 Law Center, and that the compensation of such employee  
9 shall be in an amount not in excess of three hundred  
10 dollars per month.

Adopted May 8, 1973

A RESOLUTION

Relative to business of the convention after December 31, 1973.

WHEREAS, the members of the Committee on Legislative Liaison and Transitional Measures, at its meeting held on Monday, April 30, 1973, discussed the work which it believes falls within its jurisdiction in accordance with the Official Rules of the Constitutional Convention of Louisiana of 1973, and the consensus of the committee is that its work, particularly with respect to the preparation of transitional legislative measures necessary to effectuate the new constitution in all likelihood will require the continued existence of said committee beyond December 31, 1973; and

WHEREAS, the deliberations of said committee have brought to the fore the fact that other necessary business in connection with the work of the convention will require activity and transaction of business after the date set forth in Act 2 of 1972 as the termination date of this convention, in order to terminate the affairs of the convention in orderly fashion; and

WHEREAS, a partial listing of affairs which will or may require attention after the aforementioned date include

- 1 business affairs handled by the committee on the day
- 2 of the convention, including the payment of the
- 3 tributes of the state and the payment of the
- 4 and the other possible payments of the state
- 5 concerning the state and the payment of the
- 6 which is a regular business of the committee
- 7 to be held after the session of the convention, the
- 8 to be held after the session of the convention, the
- 9 to be held after the session of the convention, the
- 10 to be held after the session of the convention, the
- 11 matter of the Constitutional Convention of the
- 12 mentioned fact, and urges that all the other

as it deem advisable to the desirability and necessity for seeking such legislative authorization as is required to assure that essential business of the convention may be transacted after the date set forth in Act Number 2 of the 1972 Regular Session for the termination of the convention.

Adopted May 8, 1973

CONSTITUTIONAL CONVENTION

Bills to be processed & paid

VENDOR:	Amount
Division of Adm. Administrative Services - printing & Postage	183.73
Bert's Cameras & Records - Office Supplies	228.41
Gould Industries - Office Supplies - signs	12.08
IBM Corporation - Rental - typewriters	494.40
Louisiana Office Supply - various office supplies	612.32
Louisian Legislative Council, postage, xeroxing material	1,230.14
Louisiana Press Association - mailing publicity releases	55.00
Lawyers Co-operative Publishing co. - law books	54.50
Metropolitan Press Clipping	65.00
Olivetti Corporation - Rental - typewriters	139.05
Perkins Moving & Storage - move research staff to LSU	250.00
Pitney Bowes - Postage Machine rental	43.87
Register State Land Office - xeroxing	48.00
Reine Stationery Co. - Office supplies	16.87
Remington Rand - ribbons	15.45
Southern Radio Supply Co. - Supplies	45.12
TJM Corporation - Printing of forms & stationery	169.96
White House Inn - Food meeting of 3/22/73 Speaker's Office	67.76
L. J. Voorhies - Renovation LSU Law Bldg. for CC/73 Research Staff	11,790.00
Electronic Business Systems - Bud Cassette Tapes	92.33

Total: \$ 15,622.99

(1)

ATTACHMENT NO. 8



CONSTITUTIONAL CONVENTION 1973  
Actual Expenditures by Committee  
April 30, 1973

	<u>Prior Expenditures</u>	<u>April Expenditures</u>	<u>Total Expenditures</u>
General Convention:			
Clerk - Salary	2,538.68	923.08	3,461.76
Finance - Salary	870.36	669.24	1,539.60
Office Supplies	589.94	-0-	589.94
Printing	186.60	-0-	186.60
Delegate Per Diem	57,450.00	-0-	57,450.00
Meeting Expense	30,972.94	3,370.00	34,342.94
Tel & Tel	94.20	-0-	94.20
Postage	38.92	-0-	38.92
	<u>92,741.64</u>	<u>4,962.32</u>	<u>97,703.96</u>
Executive Committee:			
Staff Travel	-0-	29.06	29.06
Delegate Per Diem	5,400.00	1,300.00	6,700.00
Meeting Expense	<u>1,343.48</u>	(8.48)	<u>1,335.00</u>
	6,743.48	1,320.56	8,064.06
Committee on Committee:			
Delegate Per Diem	1,750.00	-0-	1,750.00
Meeting Expense	<u>190.00</u>	-0-	<u>190.00</u>
	1,940.00		1,940.00
Rules Committee:			
Delegate Per Diem	2,400.00	-0-	2,400.00
Meeting Expense	<u>249.49</u>	-0-	<u>249.49</u>
	2,649.49		2,649.49
Composite Committee:			
Delegate Per Diem	50.00	-0-	50.00
Research Staff:			
Salaries	21,381.86	36,122.13	57,503.99
Equipment Rental	1,318.73	-0-	1,318.73
Office Supplies	1,619.74	-0-	1,619.74
Employer's Share Retirement	-0-	1,847.99	1,847.99
Employer's Share Insurance	264.55	-0-	264.55
Postage	<u>923.91</u>	<u>499.82</u>	<u>1,423.73</u>
	25,508.79	38,469.94	63,978.73
P 1 Committee			none
P 2 Committee:			
Delegate Per Diem	400.00	-0-	400.00
Meeting Expense	<u>720.00</u>	-0-	<u>720.00</u>
	1,120.00		1,120.00
P 3 Committee			none
P 4 Committee:			
Salary	830.78	876.92	1,707.70
Printing	13.50	-0-	13.50
Delegate Per Diem	350.00	150.00	500.00
Meeting Expense	<u>30.00</u>	-0-	<u>30.00</u>
	1,224.28	1,026.92	2,251.20

S 1 Committee:			
Delegate Per Diem	-0-	850.00	850.00
S 2 Committee:			
Delegate Per Diem	-0-	2,100.00	2,100.00
S 3 Committee:			
Delegate Per Diem	-0-	1,650.00	1,650.00
Meeting Expense	16.33	-0-	16.33
	<u>16.33</u>	<u>1,650.00</u>	<u>1,666.33</u>
S 4 Committee:			
Delegate Per Diem	700.00	4,150.00	4,850.00
Meeting Expense	34.24	-0-	34.24
Staff Travel	-0-	66.56	66.56
	<u>734.24</u>	<u>4,216.56</u>	<u>4,950.80</u>
S 5 Committee:			
Delegate Per Diem	900.00	3,400.00	4,300.00
Meeting Expense	30.00	-0-	30.00
Staff Travel	-0-	39.34	39.34
	<u>930.00</u>	<u>3,439.34</u>	<u>4,369.34</u>
S 6 Committee:			
Staff Travel	-0-	116.66	116.66
Delegate Per Diem	-0-	4,450.00	4,450.00
	<u>-0-</u>	<u>4,566.66</u>	<u>4,566.66</u>
S 7 Committee:			
Delegate Per Diem	-0-	2,950.00	2,950.00
S 8 Committee:			
Delegate Per Diem	-0-	1,900.00	1,900.00
TOTALS:	133,658.25	67,452.32	201,110.57

(3)

CONSTITUTIONAL CONVENTION  
FINANCIAL CONDITION 4/30/73

	Estimated Budget	Prior Expenditures	April Expenditures	Outstanding Obligations	Total Exp. & Chgls.	Balance
<b>EXPENSES</b>						
Salaries:						
Research		21,381.86	36,122.13	13,521.75	71,025.74	
Asst. Clerk		2,538.68	923.08		3,461.76	
Finance		870.36	669.24		1,539.60	
Public Information		870.78	876.92		1,707.70	
		<u>25,621.68</u>	<u>38,591.37</u>	<u>13,521.75</u>	<u>77,734.80</u>	
Employer's Share Fringe Benefits		264.55	1,647.99	2,689.58	4,802.12	
Staff Travel		<u>264.55</u>	<u>251.62</u>	<u>2,689.58</u>	<u>251.62</u>	
			2,099.61		5,053.74	
Delegates Per Diem		69,400.00	22,900.00	24,500.00	116,800.00	
Other Meeting Expense		33,595.48	<u>3,361.52</u>	<u>318.63</u>	<u>37,266.63</u>	
		<u>102,995.48</u>	<u>26,261.52</u>	<u>24,818.63</u>	<u>154,066.63</u>	
Other Expense:						
Equipment Rental		1,318.70		1,577.32	2,896.02	
Printing & Office Supplies		2,409.78		2,445.33	4,855.11	
Postage		962.83	499.82	132.71	1,595.36	
Tel & Tel		94.20		825.00	919.20	
ISU Renovation - Law Building				11,799.00	11,799.00	
Moving of Research Staff to ISU		<u>4,785.51</u>	<u>499.82</u>	<u>250.00</u>	<u>250.00</u>	
				<u>17,029.16</u>	<u>22,314.69</u>	
<b>GRAND TOTALS:</b>	\$350,000.00	133,658.22	67,452.32	58,059.32	259,169.86	90,850.14
						90,000.00
						<u>180,850.14</u>

NOTE: Board of Liquidation  
Approved & will be appropriated  
May 14.

(4)

CONSTITUTIONAL CONVENTION 1973

Estimated Expenditures, April, May, June, 1973

	<u>April</u>	<u>May</u>	<u>June</u>	<u>Total</u>
Salaries (Staff Only)	44,000.00	44,000.00	44,000.00	132,000.00
Employer's Contribution	3,500.00	3,500.00	3,500.00	10,500.00
Delegates Per Diem	25,800.00	25,000.00	25,800.00	77,400.00
Other Meeting Expenses	3,500.00	3,500.00	3,500.00	10,500.00
OTHER EXPENSES:				
Equipment Rental	1,000.00	1,000.00	1,000.00	3,000.00
Printing	400.00	400.00	400.00	1,200.00
Office Supplies	800.00	800.00	800.00	2,400.00
Postage	500.00	500.00	500.00	1,500.00
Tel & Tel'- 1st bill 2/25 - 3/25	825.00	900.00	1,850.00	3,575.00
Move to LSU	250.00			250.00
Renovation of Law Building LSU	12,000.00			12,000.00
				<u>\$254,325.00</u>
Balance at end of March 31, 1973 -	\$171,038.48			
Board of Liquidation Appropriation	<u>90,000.00</u>			
Total estimated funds available	\$261,083.48			
Less estimated expenditures	<u>254,325.00</u>			
	\$ 6,758.48			

(5)

NOTES

Attachment No. 9 consisting of tabular accounting sheets with handwritten figures is not reproducible. The figures presented there are the same as those presented in Budget Request, Attachment No. 10.

## CONSTITUTIONAL CONVENTION 1973

Budget Request for  
July 1, 1973 thru January 4, 1974

POSTAL SERVICE	July	August	September	October	November	December	Total
Church Director & Staff	50,000.00	52,000.00	54,000.00	56,000.00	58,000.00	60,000.00	330,000.00
Church Staff - 26 members	22,000.00	22,000.00	22,000.00	22,000.00	22,000.00	22,000.00	136,000.00
Church Staff - 2 members	1,100.00	1,100.00	1,100.00	1,100.00	1,500.00	1,500.00	7,300.00
Public Information Director & Staff	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	18,000.00
Church	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	6,000.00
Total Salaries:	<u>77,100.00</u>	<u>79,100.00</u>	<u>81,100.00</u>	<u>83,100.00</u>	<u>85,500.00</u>	<u>87,500.00</u>	<u>473,300.00</u>
Member's Share of Fringe Benefits	7,710.00	7,910.00	8,110.00	8,310.00	8,550.00	8,750.00	49,340.00
State Travel	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	12,000.00
Unallocated For Diet	136,850.00	136,850.00	137,650.00	137,650.00	144,100.00	144,100.00	837,200.00
Club Meeting Expense	36,720.00	36,720.00	36,850.00	36,850.00	38,735.00	39,735.00	229,650.00
Other Expenses:							
Equipment Rental - Div. of Adm. and other	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	60,000.00
Equipment Rental - Xerox, WTSN, Others	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	12,000.00
Printing & Office Supplies	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	18,000.00
Phone	500.00	500.00	500.00	500.00	500.00	500.00	3,000.00
Postage & Telegraph	1,600.00	1,600.00	1,600.00	1,600.00	1,600.00	1,600.00	9,600.00
City Journal	80,000.00	80,000.00	80,000.00	80,000.00	80,000.00	80,000.00	480,000.00
Electronic Voting System	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,500.00	22,000.00
House House Inn - Alterations							?
Sound & Recording Equipment Operation							?
Contingencies	<u>15,000.00</u>	<u>15,000.00</u>	<u>15,000.00</u>	<u>15,000.00</u>	<u>15,000.00</u>	<u>15,000.00</u>	<u>90,000.00</u>

Total Expense:

\$2,211,150.00

CONSTITUTIONAL CONVENTION 1973  
Budget Request for  
July 1, 1973 thru January 4, 1974

Per Diem Expense		July	August	September	October	November	December	Total
<u>Convention Meetings:</u>								
159 Delegates @ \$50 ea.	Meeting \$6,450.00	109,650.00	109,650.00	109,650.00	109,650.00	116,100.00	116,100.00	670,800.00
16 Delegates @ \$50 ea.	800.00	27,200.00	27,200.00	28,000.00	28,000.00	28,000.00	28,000.00	165,400.00
<u>Total Per Diem</u>		<u>136,850.00</u>	<u>136,850.00</u>	<u>137,650.00</u>	<u>137,650.00</u>	<u>144,100.00</u>	<u>144,100.00</u>	<u>837,200.00</u>
<u>Other Meeting Expense</u>								
<u>Convention Meetings:</u>								
1 Sgt. at Arms @ \$50	50.00							
13 Asst. Sgt. At Arms @ \$30	390.00							
12 Pages or Messengers @ \$15	180.00							
Partial Meeting Rooms	250.00							
Contingencies	1,000.00							
	<u>\$1,870.00</u>	<u>31,790.00</u>	<u>31,790.00</u>	<u>31,790.00</u>	<u>31,790.00</u>	<u>33,660.00</u>	<u>33,660.00</u>	<u>197,460.00</u>
<u>Committee Meetings:</u>								
1 Asst. Sgt. at Arms @ \$30	30.00							
1 Page or Messenger @ \$15	15.00							
Contingencies	100.00							
	<u>\$145.00</u>	<u>4,930.00</u>	<u>4,930.00</u>	<u>5,075.00</u>	<u>5,075.00</u>	<u>5,075.00</u>	<u>5,075.00</u>	<u>30,150.00</u>
<u>Total Other Meetings</u>		<u>36,720.00</u>	<u>36,720.00</u>	<u>36,865.00</u>	<u>36,865.00</u>	<u>38,735.00</u>	<u>38,735.00</u>	<u>224,610.00</u>
<u>Estimated Number of Meetings per Month:</u>								
Convention Meetings		17	17	17	17	18	18	104
Committee Meetings		34	34	35	35	35	35	268

It is my hope that each delegate will find it possible to visit the Research Staff offices at the LEO Law Center, and that you will contact me whenever we may be of service to you or you have suggestions for the better contribution of the staff to your important work.

Sincerely,

*Norma M. Duncan*  
Norma M. Duncan  
Director of Research

NMD:cm

May 8, 1973

Gentlemen and Mrs. Miller:

The attached schedule presently in effect at the LEO Law Center of the Convention Research Staff with the new pay plan adopted by the Executive Committee. The new pay plan reflects a total of forty-nine (49) positions of whom commence employment this week. Information concerning the educational and experience qualifications of research assistants is attached to the March 27, 1973, the date of the last Executive Committee meeting attached to this report.

The Research Staff at this time is composed of twelve (12) research assistants and six junior research assistants. You will recall that a total of 16 research assistants in each category are authorized. Every effort is being exerted to find personnel either presently qualified to perform the intense research and highly technical drafting which we believe is necessary to effectively serve the needs of the Convention, its committees and delegates. Where already experienced personnel is not found, our effort is to search out persons whose education, experience and other assessable qualities indicate that within a brief time they can be trained to make effective contribution to the Convention.

The search for qualified committee and staff secretaries and typist-clerks continues apace at our post. Sixteen secretaries and 19 typist-clerks are authorized and needed. Presently eight committee secretaries, one staff secretary and one executive secretary are on staff, along with three typist-clerks. Both day and long hours are problems. It is believed that hours of work can be reduced as more secretaries become available. The time problem, though serious throughout the staff and by reason of the temporary nature of the staff and quarters and the increased employee authorization will be alleviated to some extent upon the Convention commencing. At that time, a number of clerical as well as professional personnel will be assigned to the Convention floor and the Treaty Room staff offices.

ATTACHMENT NO. 11

Gentlemen and Mrs. Miller

May 8, 1973

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Other support staff for the Research Staff is adequate for the present and will be increased, hopefully to full complement, by July 5th.

The only staff resignations to date have been in the clerical staff -- two secretaries and one typist-clerk. These resignations were due to (1) removal to California, (2) critical illness of a son, and (3) desire to continue residence in New Orleans because of early wedding plans.

RESEARCH STAFF  
MONTHLY SALARIES UNDER REVISED PAY PLAN  
of March 27, 1973  
And Other Actions of Executive Committee

Name	Job Classification	Date Employed	Monthly Salary at Date of Employment	Previous Increase	Present Monthly Salary 3-27-73
Norma Mayo Duncan	Director of Research	2/6/73	\$ 2,166.50		\$ 2,166.50
W. Lee Hargrave	Research Coordinator	2/16/73	2,000.00		2,000.00
Gene F. Tarver	Research Coordinator	2/16/73	2,000.00		2,000.00
Andrey D. LeBlanc	Research Coordinator	2/26/73	2,000.00		2,000.00
C. B. Forgotsen	Sr. Research Asst.	2/16/73	1,333.00		1,333.00
Walter J. Landry	Sr. Research Asst.	2/16/73	1,333.00		1,333.00

Carl Scott Reis	Sr. Research Asst.	2/27/73	1,200.00	1,250.00
Joe L. Smith	Sr. Research Asst.	2/28/73	1,200.00	1,500.00
W. Reginald Coco, Jr.	Sr. Research Asst.	3/1/73	1,466.00	1,500.00
Iris M. Michelli	Sr. Research Asst.	3/1/73	1,333.00	1,500.00
James A. Morris	Sr. Research Asst.	3/1/73	1,333.00	1,500.00
P. Judge James	Sr. Research Asst.	4/4/73	1,400.00	1,400.00
Jerry Hood	Sr. Research Asst.	4/4/73	1,800.00	1,800.00
Larry Colter	Sr. Research Asst.	4/30/73	1,500.00	1,500.00
Orange, Ramon	Sr. Research Asst.	5/7/73	1,400.00	1,400.00
Harry L. Wood	Sr. Research Asst.	5/14/73	1,500.00	1,500.00

- 2 -

<u>Name</u>	<u>Job Classification</u>	<u>Date Employed</u>	<u>Monthly Salary at Date of Employment</u>	<u>Previous Increase</u>	<u>Present Monthly Salary (4-73)</u>
Robert P. Pellegrin	Jr. Research Asst.	2/19/73	900.00		1,000.00
Ted L. Tinsley	Jr. Research Asst.	2/21/73	1,000.00		1,100.00
Betty Field	Jr. Research Asst.	2/28/73	900.00		1,000.00
Jean Carter	Jr. Research Asst.	3/5/73	900.00		1,000.00
Marion M. Carrier, Jr.	Jr. Research Asst.	4/2/73	1,000.00		1,000.00
Frank Koles, III	Jr. Research Asst.	4/9/73	1,150.00		1,150.00

Jasper M. Pharr	Law Clerk (Trans. from Adm. Asst.)	2/16/73	750.00		750.00
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Kathleen P. Goss	Executive Secretary	2/16/73	750.00		850.00
Irmie B. Gaudet	Supvr. Clerical Svcs.	2/21/73	700.00		850.00
Dan E. Blake	Administrative Asst.	5/8/73	800.00		800.00

Patsy D. Moore	Reference Librarian (Transferred from Proofer)	2/21/73	500.00		600.00
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Ann Johnston	Proof Reader	4-9/73	575.00		575.00
Carol Coltharp	Proof Reader	5/7/73	550.00		550.00
Constance Brooks	Proof Reader	5/8/73	500.00		500.00

- 3 -

<u>Name</u>	<u>Job Classification</u>	<u>Date Employed</u>	<u>Monthly Salary at Date of Employment</u>	<u>Previous Increase</u>	<u>Present Monthly Salary (4-73)</u>
Cornie McManus	Secretary	1/30/73	500.00	600.00	750.00
	Secy.-Coordinators				
Adrienne Patty	Receptionist	4/26/73	450.00		450.00
Meredith Bunker	Secy. (Steno-Clk)	3/12/73	550.00		600.00
Julie R. Cooper	Secy. (Steno-Clk)	2/22/73	500.00		600.00
Faye Perazich	Secy. (Steno-Clk)	2/21/73	550.00		700.00
Mary Ann Fields	Secy. (Steno-Clk)	2/7/73	500.00		600.00
Paula Ito	Secy. (Steno-Clk)	3/19/73	500.00		600.00
Margaret Wetherne	Secy. (Steno-Clk)	1/30/73	500.00		700.00
Grace Allen	Secy. (Steno-Clk)	4/16/73	600.00		600.00
Julie Antleeta	Secy. (Steno-Clk)	4/30/73	600.00		600.00
Judy T. Bishop	Clk.-Typist	3/22/73	400.00		500.00
Blaine Couch	Clk.-Typist	3/3/73	425.00		500.00
Cindy Cambre	Clk.-Typist	4/16/73	500.00		500.00



Marvin T. Dorsey	Machine Operator	3/22/73	L50.00	500.00
Shirley Corley	Mach. Oper. Hlpr.	3/9/73	300.00	400.00

- 4 -

<u>Name</u>	<u>Job Classification</u>	<u>Date Employed</u>	<u>Monthly Salary at Date of Employment</u>	<u>Previous Increase</u>	<u>Present Monthly Salary</u>
Brenda Dean Smith	Messenger	4/2/73	350.00		350.00
Richard Brazan	Student	4/2/73	\$2.50/Hr.		
Joe Rausch	Student	5/2/73	\$2.50/Hr.		
Jay C. Zainey	Student	5/7/73	\$2.25/Hr.		

JERRY M. HOOD  
Age: 29  
Residence: Monroe  
Position: Sr. Research Assistant  
Marital Status: Married  
Educational Background:  
BS - 1965 - La. Tech University, Ruston - Business Administration  
MBA - 1966 - Texas Tech University, Lubbock - Economics  
DBA - 1971 - Texas Tech University, Lubbock - Economics, Finance

**Experience and Activities:**

Assistant Professor, Department of Economics and Finance, LSU  
Instructor, Department of Economics and Finance, Texas Tech University  
Teaching Assistant, Department of Economics and Finance  
Publications:  
Thesis - "The Economic Impact of Texas Tech on Lubbock"  
Dissertation - "An Economic Appraisal of the Tax Structure and Sources of Revenue of the State Government of Texas"

E. RAMON ARANGO  
Age: 43  
Residence: Baton Rouge  
Position: Senior Research Assistant  
Marital Status: Single  
Educational Background:  
BS - 1951 - University of Florida - Economic Geography  
MA - 1954 - Columbia University, The School of International Affairs, Latin American Studies  
PhD - 1961 - University of Florida - Political Science

**Experience and Activities:**

Professor of Government, 1460-present  
Publications:  
Leopold III and the Belgian Royal Question, the Duke's Edition Press, 1964  
Fulbright Award to Belgium, 1958-1960  
Graduate Research Grant for Study and Research in Spain, 1960

FRANK L. KOLDS, III  
Age: 27  
Residence: Baton Rouge  
Position: Junior Research Assistant  
Marital Status: Single  
Educational Background:  
BA - 1966 - Southeastern Louisiana University - Accounting  
JD - 1970 - LSU Law School

**Experience and Activities:**

General practice of law, 1970-1973

HARRY INMAN WOOD  
Age: 57  
Residence: Baton Rouge  
Position: Senior Research Assistant  
Marital Status: Married  
Educational Background:  
AB - 1946 - Howard University, Political Science  
JD - 1949 - School of Law, Howard University  
LLM - 1970 - School of Law, Georgetown University

**Experience and Activities:**

Associate Professor, Southern University - 1963-present  
Private practice of law  
Member, Louisiana State Board of Corrections, 1968-1972  
"Negro Labor, Labor Unions and Public Policy" (An unpublished Masters of Law Thesis)

LEROY COLTER  
Mr. Colter was selected by and employed with the approval of Mr. Patrick Jumeau, Chairman, Committee on Public Information.

MINUTES

Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973

B. JUDGE EAMES  
Age: 29  
Residence: Baton Rouge  
Position: Senior Research Assistant  
Marital Status: Married

Held pursuant to notices mailed by the Secretary of the Convention dated July 1, 1973

**Educational Background:**

BA - 1965 - Southern University - Political Science  
LLB - 1968 - Southern University Law School

Committee Room 5, State Capitol, Baton Rouge, Louisiana on July 5, 1973 at 10:30 a.m.

**Experience and Activities:**

General practice of law, 1971-1973  
Legal Investigator, CENLA Legal Aid Society, 1968-1969  
Summer Intern, U. S. Dept. of Labor, 1965

Presiding: L. L. "Bubba" Henry, Chairman, Executive Committee

Present

John A. Alario, Jr.  
Avery C. Alexander  
Norman E. Carmouche  
Thomas A. Casey  
Lawrence Chehardy  
Ralph L. Cowen  
R. Harmon Drew  
K. Gordon Flory  
Frank Fulco  
E. L. Henry  
Louis Landrum, Sr.  
Herman Lowe  
Ruth Miller  
Auley B. Newton  
Samuel S. Nunez, Jr.  
Chris J. Roy  
Perry Seguis  
John R. Thistlethwaite  
Anthony J. Vesich, Jr.  
Shady Wall  
Lantz Womack

Absent

Moise W. Dennerly  
Arthur J. Planchard

The meeting adjourned at 11:00 a.m.

*E. L. Henry*  
E. L. Henry, Chairman

- 2 -

Executive Committee Resolution No. 1  
of July 5.

By: Mr. Lowe

A RESOLUTION

To ratify the action and authorization of the Treasurer and Chairman of the Convention.

WHEREAS, it has been necessary for action to be taken concerning the nature and terms of employment of employees in the Accounting Office of the Constitutional Convention since the last meeting of the Executive Committee.

THEREFORE, BE IT RESOLVED by the Executive Committee of the Convention that the approval of the Chairman of the Convention of memoranda dated from Mr. Lowe dated May 23, 1973 and June 25, 1973 is hereby ratified.

Chairman Henry called the meeting to order at 10:35 a.m. After roll call and a quorum established, the chairman stated that the purpose of the meeting was to consider the seating arrangement for the delegates on the convention floor.

Copies of a seating chart were distributed to the members of the committee. After a short discussion, Mr. Flory moved that the seating arrangement of the delegates be as set out on the chart. The motion was adopted without objection. A copy of the seating chart is attached hereto as Appendix "A" and made a part of these minutes.

Mr. Lowe presented two resolutions relative to employment in the Accounting Office of the Constitutional Convention for the committee's consideration. Upon motions offered by Mr. Lowe and adopted without objection, Executive Committee Resolution Nos. 1 and 2 of July 5 were adopted. A copy of each is attached hereto and made a part of these minutes.

Mr. Lowe presented a report from the Treasurer's Office, a copy of which is attached hereto and made a part hereof as Appendix "B". Mr. Lowe moved for approval of payment of bills listed on the first page of the report. Mr. Flory explained that the bills had been properly processed and the motion was unanimously adopted. It was suggested that the increases reflected on the last page of the report be considered at the next meeting of the Executive Committee.

APPROVED: *Adopted without objection*

Executive Committee Resolution No. 2  
of July 5.

By: Mr. Lowe

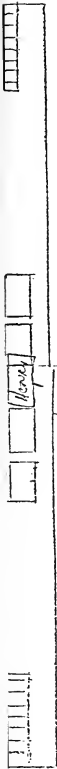
A RESOLUTION

To provide for the employment of additional personnel in the Accounting Office of the Constitutional Convention.

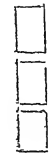
WHEREAS, the accounting and bookkeeping workload of the Convention have been greatly increased and will continue at an intensive level until the adjournment of the Convention.

THEREFORE, BE IT RESOLVED by the Executive Committee of the Convention that its action authorizing a part-time employee in the Accounting Office is hereby ratified and in lieu thereof an additional full-time accountant is authorized at a rate of pay of \$575.00 per month effective as of July 1, 1973.

APPROVED: *Adopted without objection*



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## COLLECTORIAL CONTRIBUTION

Bills paid during months of May and June:

<u>VENDOR</u>	<u>AMOUNT</u>
Centrex - Telephone 2/25/73	974.74
IBM- Typewriter rental 4/23/73 - 5/22/73	494.40
Legislative Council - Xeroxing April, 1973	245.26
Bowles Office Supplies	20.46
Administrative services - Postage & Printing	54.89
Claitor's - Books - Research Library	12.36
Council State Government - Books Research Library	58.50
House of Representative - Xerox, supplies, copies - March & April	2,957.15
Interstate School Supply - Office supplies	221.12
Metropolitan Press Clippings - Public Information	103.10
Robert Pellegrin - Travel	177.90
Rebel Rubber Stamp Co.	4.64
Reine Office Supplies	20.82
Southern Radio Supplies	3.13
TJM - Printing envelopes & letterheads	65.92
Xerox Corp. - Rental 49.52	
Supplies 1,728.13	1,777.65
Louisiana Office Supply	1,073.27
Kadairs - office supplies	6.34
Norma Duncan - Travel	243.55
Electronic Business Systems - Tape recorders	603.25
Xerox - Rental	171.48
Edwin Hardin - Travel	99.54
Querbes & Bourquin - Ins. LSU partitions	2.00
Parker-Shrewe - office supplies	194.67
Bill Forgotston - Repair to recording equipment	15.00
State Land Office - Photostatic copies	84.00
Interstate School Supply - office supplies	201.47
Louisiana Office Supply	220.94
TJM - printing	36.06
Administrative Services - Postate & Printing	519.48
IBM typewriter rental 5/23 thru 6/22/73	180.00
La. Press Association - printing & Postage	60.00
Southern Radio Supply Co.	164.64
DofA - Surplus Property -Equipment Rental	1,539.37
Xerox - Rental	493.18
Centrex - telephone 3/25/73	515.55
Council State Government - Books Researrch Library	2.50
U.S. Postmaster Baton Rouge - postage	500.00
U.S. Postmaster Baton Rouge - postage	900.00
Administrative Services - printing	151.50
Claitor's - Books Research Library	46.20
Council State Government - Books	4.00
Reine office supplies	187.81
Remington Rand - ribbons	61.80
Xerox Corp. - rental	372.86

TOTAL: \$ 16,142.50

APPENDIX "B"

CONSTITUTIONAL CONVENTION  
FINANCIAL CONDITION 5/31/73

Expenses	Estimated Budget	Prior Expenditures	May Expenditures	Outstanding Obligations	Total Exp. & Oblig.	Balance
Salaries:						
Research		57,503.99	70,040.78		127,544.77	
Clerk's Office		3,461.76	1,130.82		4,592.58	
Finance		1,539.60	1,326.72		2,866.32	
Public Information		1,707.70	3,259.47		4,967.17	
General Convention			369.24		369.24	
		64,213.05	76,127.03		140,340.08	
Sergeant at Arms		11,730.00	2,905.00	2,000.00	16,635.00	
State Per Diem		92,300.00	22,800.00	24,000.00	139,100.00	
Meeting Rooms & Other Expenses		27,318.00	268.95		25,486.95	
Postage		1,462.65	1,114.47		2,577.12	
Printing		1,205.10	4,033.74		2,603.64	
Telephone Rental		1,319.73	4,334.49	1,539.37	7,192.59	
Travel		264.20	974.74	2,000.00	3,068.94	
Office Supplies		251.62	472.70		724.32	
Travel		2,409.68	6,222.39		8,432.07	
Teacher's Pension Benefit Share:						
Teacher's Retirement		251.51	468.45		719.96	
State Retirement		1,596.48	4,060.94	69.06	5,657.82	
R. I. C. A.		264.55	384.21		648.76	
Group Hospitalization					149.85	
Group Life						
Office Equipment Purchase			603.25		603.25	
U.S.O. Law Building Renovation			11,799.00		11,799.00	
Legislative Act 186	350,000.00	201,110.57	133,089.21	29,608.43	363,808.21	
Board of Liquidation Resolution 1	90,000.00					
	440,000.00					76,191.79

CONSTITUTIONAL CONVENTION 1973  
Actual Expenditures by Committee  
May, 1973

	<u>Prior Expenditures</u>	<u>May Expenditures</u>	<u>Total Expenditures</u>
General Convention:			
Clerk's Office-Salary	3,461.76	1,130.82	4,592.58
Finance-Salary	1,539.60	1,326.72	2,866.32
General-Salary	-0-	369.24	369.24
Office Supplies	589.94	18.96	608.90
Printing	186.60	38.30	224.90
Delegate Per Diem	57,450.00	-0-	57,450.00
Meeting Expense	34,342.94	(1,252.24)	33,090.70
Tel & Tel	94.20	-0-	94.20
Postage	38.92	25.86	64.78
	<u>97,703.96</u>	<u>1,657.66</u>	<u>99,361.62</u>
Executive Committee:			
Staff Travel	29.06	-0-	29.06
Office Supplies	-0-	16.87	16.87
Delegate Per Diem	6,700.00	400.00	7,100.00
Meeting Expense	1,335.00	245.00	1,580.00
	<u>8,064.06</u>	<u>661.87</u>	<u>8,725.93</u>
Committee on Committee:			
Delegate Per Diem	1,750.00	-0-	1,750.00
Meeting Expense	190.00	210.00	400.00
	<u>1,940.00</u>	<u>210.00</u>	<u>2,150.00</u>
Rules Committee:			
Delegate Per Diem	2,400.00	-0-	2,400.00
Meeting Expense	249.49	(39.95)	209.54
	<u>2,649.49</u>	<u>(39.95)</u>	<u>2,609.54</u>
Composite Committee:			
Staff Travel	-0-	177.90	177.90
Delegate Per Diem	50.00	-0-	50.00
Meeting Expense	-0-	360.00	360.00
	<u>50.00</u>	<u>537.90</u>	<u>587.90</u>
Research:			
Salaries	57,503.99	70,040.78	127,544.77
Staff Travel	-0-	243.55	243.55
Equipment Rental	1,318.73	4,334.49	5,653.22
Office Supplies	1,619.74	5,915.21	7,534.95
Printing	-0-	330.69	330.69
Health	213.67	384.21	597.88
Life	50.88	149.85	200.73
Retirement	1,847.99	4,529.39	6,377.38
Tel & Tel	-0-	974.74	974.74
Postage	1,423.73	1,088.61	2,512.34
L. S. U. Renovation	-0-	11,799.00	11,799.00
Equipment Purchase	-0-	603.25	603.25
	<u>63,978.73</u>	<u>100,393.77</u>	<u>164,372.50</u>
P-1 Committee:			
P-2 Committee:			
Delegate Per Diem	400.00	500.00	900.00
Other Meeting Expense	720.00	60.00	780.00
	<u>1,120.00</u>	<u>560.00</u>	<u>1,680.00</u>

P-3 Committee:			
Delegate Per Diem	<u>-0-</u>	450.00	450.00
	<u>-0-</u>	450.00	450.00

Expenditures By Committee 5/31/73

P-4 Committee:			
Salary	1,707.70	3,259.47	4,967.17
Office Supplies	-0-	271.35	271.35
Printing	13.50	34.75	48.25
Delegate Per Diem	500.00	-0-	500.00
Meeting Expense	<u>30.00</u>	<u>30.00</u>	<u>60.00</u>
	<u>2,251.20</u>	<u>3,595.57</u>	<u>5,846.77</u>

S-1 Committee:			
Delegate Per Diem	850.00	1,650.00	2,500.00
Meeting Expense	<u>-0-</u>	<u>300.00</u>	<u>300.00</u>
	<u>850.00</u>	<u>1,950.00</u>	<u>2,800.00</u>

S-2 Committee			
Delegate Per Diem	2,100.00	1,100.00	3,200.00
Meeting Expense	<u>-0-</u>	<u>557.47</u>	<u>557.47</u>
	<u>2,100.00</u>	<u>1,657.47</u>	<u>3,757.47</u>

S-3 Committee			
Delegate Per Diem	1,650.00	1,900.00	3,550.00
Meeting Expense	<u>16.33</u>	<u>343.67</u>	<u>360.00</u>
	<u>1,666.33</u>	<u>2,243.67</u>	<u>3,910.00</u>

S-4 Committee:			
Delegate Per Diem	4,850.00	3,200.00	8,050.00
Meeting Expense	34.24	450.00	484.24
Staff Travel	<u>66.56</u>	<u>-0-</u>	<u>66.56</u>
	<u>4,950.80</u>	<u>3,650.00</u>	<u>8,600.80</u>

S-5 Committee:			
Delegate Per Diem	4,300.00	3,800.00	8,100.00
Staff Travel	39.34	51.25	90.59
Meeting Expense	<u>30.00</u>	<u>360.00</u>	<u>390.00</u>
	<u>4,369.34</u>	<u>4,211.25</u>	<u>8,580.59</u>

S-6 Committee:			
Staff Travel	116.66	-0-	116.66
Delegate Per Diem	4,450.00	4,100.00	8,550.00
Meeting Expense	<u>-0-</u>	<u>420.00</u>	<u>420.00</u>
	<u>4,566.66</u>	<u>4,520.00</u>	<u>9,086.66</u>

S-7 Committee:			
Delegate Per Diem	2,950.00	4,400.00	7,350.00
Meeting Expense	<u>-0-</u>	<u>300.00</u>	<u>300.00</u>
	<u>2,950.00</u>	<u>4,700.00</u>	<u>7,650.00</u>

S-8 Committee:			
Delegate Per Diem	1,900.00	1,800.00	3,700.00
Meeting Expense	<u>-0-</u>	<u>330.00</u>	<u>330.00</u>
	<u>1,900.00</u>	<u>2,130.00</u>	<u>4,030.00</u>

201,110.57	133,089.21	334,199.78
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CONSTITUTIONAL CONVENTION 1973													
BUDGET FOR JULY 1, 1972 THROUGH END OF CONVENTION													
	JULY 1973	AUGUST 1973	SEPTEMBER 1973	OCTOBER 1973	NOVEMBER 1973	DECEMBER 1973	JANUARY 1974	FEBRUARY 1974	MARCH 1974	ORIGINAL ESTIMATED TOTAL	NEW TOTAL	INCREASE	
EXPENSES													
5- RESOURCES													
CLERK'S OFFICE	65,000.00	61,000.00	62,000.00	63,000.00	64,000.00	64,000.00	14,183.00	14,183.00	14,183.00	330,000.00	416,183.00	86,183.00	
FINANCE-TREASURER'S OFFICE	22,000.00	22,000.00	22,000.00	22,000.00	22,000.00	22,000.00	1,000.00	1,000.00	1,000.00	132,000.00	135,000.00	3,000.00	
PUBLIC INFORMATION	1,250.50	1,250.50	1,500.00	1,500.00	1,757.50	1,757.50	650.00	650.00	650.00	12,400.00	11,630.00	4,230.00	
GENERAL TOTALS	87,250.50	85,250.50	85,500.00	86,500.00	87,757.50	88,000.00	20,433.00	20,433.00	20,433.00	494,000.00	602,813.00	109,313.00	



# MINUTES

Minutes of the meeting of the Executive  
Committee of the Constitutional Convention  
of 1973

Held pursuant to notice properly issued  
by the Secretary of the Convention

Committee Room 5, State Capitol,  
Baton Rouge, Louisiana

Thursday, August 9, 1973, 8:30 a.m.

Presiding: E. L. Henry, Chairman of the Executive Committee

## Present

E. L. "Bubba" Henry, Chairman  
Ruth L. Miller, 1st Vice Chairman  
Thomas A. Casey, Vice Chairman  
Moise Dennerly, Secretary  
Herman "Monday" Lowe, Treasurer  
Norman E. Carmouche  
Ralph L. Cowen  
R. Harmon Drew  
Gordon Flory  
Rev. Louis Landrum, Sr.  
Arthur J. Planchard  
John R. Thistlethwaite

## Absent

Avery C. Alexander, Vice Chmn.  
Chris J. Roy, Vice Chairman  
John A. Alario, Jr.  
Lawrence Chehardy  
Frank Fulco  
Autley B. Newton  
Samuel B. Nunez, Jr.  
Perry Secura  
Anthony J. Vesich, Jr.  
Shady R. Wall  
Lantz Monack

The chairman called the meeting to order, the roll was  
called, and a quorum established.

Chairman Henry requested distribution and presentation of  
resolutions for consideration. The following resolutions were  
considered and actions taken as set forth:

Executive Committee Resolution No. 1 of  
August 9, 1973. Mr. Casey introduced the  
resolution and moved for its adoption.  
After a brief explanation, the resolution  
was adopted without objection.

Executive Committee Resolution No. 2 of  
August 9, 1973. The resolution was read  
by Mr. Fugler. After a brief explanation  
by Mr. Henry, Mr. Dennerly moved for adoption  
of the resolution. The resolution  
was adopted without objection.

Executive Committee Resolution No. 3 of  
August 9, 1973. The resolution was read  
and briefly explained by Mr. Casey, who  
moved for its adoption. The resolution  
was adopted without objection.

A copy of each of the above listed resolutions is attached  
hereto and made a part hereof.

At the request of the chairman, Mr. Fugler explained the  
problems involved with respect to purchasing. Briefly, some  
items have been purchased in a method not in keeping with  
state purchasing regulations. This occurred due to the fact  
that persons handling the requisitioning of purchases are not  
familiar with the regulations followed in state purchasing,  
and in certain instances the items were not available by a  
supplier who held a state contract and had to be purchased  
elsewhere. Mr. Fugler informed the committee that within the  
coming week he will be in touch with the committees and staff  
of the convention requesting a projection of supplies needed  
within the next few months. After the information is compiled,  
quotations will be obtained and materials purchased in bulk

and the proper procedure followed. Chairman Henry requested  
the cooperation of all persons involved, stating that if any  
purchase is made by anyone using a method which does not com-  
ply with proper procedure, the purchase will not be approved  
for payment from convention funds.

The Treasurer's report was presented by Mr. Lowe,  
Treasurer of the Convention. A copy of the report is at-  
tached as Appendix "A", Appendix "B", and Appendix "C".  
Appendix "A" and Appendix "B" were explained by Mr. Lowe,  
with the concluding statement that the expenditures had not  
been as great as estimated, thus the financial outlook for  
the convention at this time is better than expected.

Appendix "C", Treasurer's recap of bills due and payable  
to the White House Inn along with copies of bills submitted  
by White House Inn, was considered the committee. During  
discussion of the bill submitted by White House Inn for costs  
of materials and labor for construction of walls in the  
Treaty Room and Independence Hall, attention was called to  
letter of March 27, 1973 from the General Manager of White  
House Inn addressed to the Chairman of the Convention, in  
which Mr. Fry set out how this billing would be handled. A  
copy of the letter is attached to the minutes of the Executive  
Committee of March 27, 1973. Mr. Carmouche moved that the  
Treasurer be authorized to pay the bill as submitted. Motion  
adopted without objection. The next bill considered was for


- 3 -

rental due for the month of July for use of Independence  
Hall and the Treaty Room. After referring to the afore-  
mentioned letter of March 27, 1973, Mr. Planchard moved  
that the treasurer be authorized to pay the bill as sub-  
mitted. Motion adopted without objection.

Mr. Lowe explained that heretofore he had submitted  
a complete list of bills to be paid for approval of this  
committee. It was decided at the last audit that this  
is not necessary if the bills have been properly approved  
in accordance with resolutions of the committee. The com-  
mittee agreed that its approval is not necessary.

The research staff report was distributed to the  
committee members. A copy of the report is attached hereto  
and made a part hereof as Appendix "D".

The meeting adjourned at 9:15 a.m.

  
E. L. Henry, Chairman  
Executive Committee

- 4 -

- 1 Constitutional Convention of Louisiana of 1973
- 2 EXECUTIVE COMMITTEE RESOLUTION NO. 1 OF AUGUST 9, 1973
- 3 Introduced by Mr. Casey
- 4
- 5 A RESOLUTION
- 6 To clarify the intentions of the Executive Committee with re-

7 spect to the ~~employment~~ of ~~public~~ Research Staff per-  
8 sonnel.  
9 WHEREAS, this Convention has obtained the services of  
10 several outstanding persons from the staffs of colleges and  
11 universities and public agencies in Louisiana, and these em-  
12 ployees are on loan or on leave from their positions of em-  
13 ployment in order to serve the convention, and  
14 WHEREAS, it is the clear intent of the Executive Committee  
15 that these employees shall not suffer loss in the amount of  
16 their compensation and benefits by reason of their work with  
17 the Constitutional Convention of 1973.  
18 THEREFORE, BE IT RESOLVED that the Executive Committee  
19 hereby expresses its intention that no person employed on the  
20 Research Staff shall be paid compensation and benefits in an  
21 amount less than the amount payable to such person in the  
22 position from which he is on loan or on leave while so employed,  
23 and directs the treasurer of the convention and the director of  
24 research to take such steps as are necessary to effectuate the  
25 intent herein expressed.  
26 BE IT FURTHER RESOLVED that this Resolution supersedes any  
27 previous Resolution of this Executive Committee which may be  
subject to a contrary interpretation.

Constitutional Convention of Louisiana of 1973  
EXECUTIVE COMMITTEE RESOLUTION NO. 2 OF AUGUST 9, 1973  
Introduced by Mr. Lowe

#### A RESOLUTION

To authorize the Treasurer of the Convention to reimburse the  
Louisiana Department of Public Safety for expenses  
incurred in providing security services for the Convention.  
BE IT RESOLVED by the Executive Committee that the Treasurer  
of the Convention is hereby authorized to reimburse the Louisiana  
Department of Public Safety for expenses incurred by the Department

of Public Safety in providing security for the Convention, excluding  
salaries.

ADOPTED: August 9, 1973

- 1 Constitutional Convention of Louisiana of 1973
- 2 EXECUTIVE COMMITTEE RESOLUTION NO. 3 OF AUGUST 9, 1973
- 3 Introduced by Mr. Casey

#### A RESOLUTION

6 Relative to travel expenses incurred by Constitutional  
7 Convention Research Staff messengers for necessary  
8 in-city travel.  
9 BE IT RESOLVED that travel expenses heretofore or  
10 hereafter necessarily incurred by employees of the  
11 Research Staff of the Constitutional Convention of  
12 Louisiana of 1973 used as messengers for business of  
13 the convention, within the city of Baton Rouge, when  
14 authorized by the director of research and approved by the  
15 chairman of the convention, shall be an expense of and  
16 paid out of the funds of the convention, but only in ac-  
17 cordance with the provisions of law and regulations of  
18 the commissioner of administration applicable to state  
19 employees.

#### NOTES

Appendix "A" is reproduced as an appen-  
dix to Minutes of July 5, 1973.

CONSTITUTIONAL CONVENTION  
FINANCIAL CONDITION 7/31/73

	Estimated Budget	Prior Expenditures	July Expenditures	Outstanding Obligations	Total Exp. & Oblig.	Balance
<b>Expenses</b>						
Salaries:						
Research	605,000.00	175,516.79	50,469.89		225,986.68	379,013.32
Clerk's Office	141,000.00	5,584.92	15,836.74		21,421.66	119,578.34
Finance	16,000.00	4,050.92	1,259.08		5,310.00	10,690.00
Public Information	40,000.00	6,444.09	3,163.90		9,607.99	30,392.01
Salary Total	802,000.00	191,596.72	70,729.61		262,326.33	539,673.67
<b>Employer's Fringe Benefit Share:</b>						
Teachers' Retirement	3,000.00	1,073.03		235.38	1,308.41	1,691.59
State Retirement	45,550.00	9,615.10		4,000.00	13,615.10	31,934.90
F.I.C.A.	2,000.00		460.90	186.49	647.39	1,352.61
Group Hospitalization	3,300.00	1,086.32		285.00	1,371.32	1,928.68
Group Life	1,300.00	294.55		123.00	417.55	882.45
Benefit Total	55,150.00	12,069.00	460.90	4,829.87	17,359.77	37,790.23
<b>Other Expenses</b>						
Wages - per diem	120,000.00	15,490.00	9,640.00	7,515.00	32,645.00	87,355.00
Delegate - per diem	1,020,000.00	139,100.00	38,000.00	100,000.00	277,100.00	742,900.00
Meeting Expenses	178,000.00	25,486.95	(4.24)	4,000.00	29,482.71	148,517.29
Postage	10,000.00	4,222.36	446.42	300.00	4,968.78	5,031.22
Printing	10,000.00	1,043.08	2,265.08	400.00	3,708.16	6,291.84
Daily Journal	490,800.00		2,888.76	9,629.20	12,517.96	478,282.04
Equipment Rental	120,000.00	12,649.73	10,977.88	1,500.00	25,127.61	94,872.39
Telephones	15,000.00	1,594.49	1,713.96		3,308.45	11,691.55
Staff Travel	14,000.00	1,030.45	1,474.54		2,504.99	9,701.51
Office Supplies	60,000.00	10,404.89	1,420.68	2,000.00	12,825.57	47,174.43
Equipment Purchase	1,033.23	603.25			1,033.23	
LSU Renovation	11,799.00	11,799.00	429.98	1,544.97	13,370.54	46,629.46
White House Inn Renovation	5,623.81			5,623.81	11,799.00	
Contingencies	2,913,406.04	427,079.92	140,443.57	137,342.85	704,866.34	2,208,539.70
	26,593.96					26,593.96
<b>GRAND TOTAL:</b>	\$2,940,000.00	427,079.92	140,443.57	137,342.85	704,866.34	\$2,235,133.66

CONSTITUTIONAL CONVENTION 1973  
Actual Expenditures by Committee  
July 31, 1973

	<u>Prior Expenditures</u>	<u>July Expenditures</u>	<u>Total Expenditures</u>
<b>General Convention:</b>			
Clerk's Office-Salary	5,584.92	15,836.74	21,421.66
Finance-Salary	4,050.92	1,259.08	5,310.00
General Convention-Salary	369.24		369.24
Staff Travel		81.36	81.36
Equipment Rental		5,500.00	5,500.00
Office Supplies	651.46	476.43	1,127.89
Printing	224.90	44.10	269.00
Daily Journal		2,888.76	2,888.76
Delegate Per Diem	57,450.00		57,450.00
Meeting Expense	33,090.70		33,090.70
Wages-Per Diem	75.00	8,590.00	8,665.00
Telephone	94.20		94.20
Postage	64.78		64.78
	<u>101,656.12</u>	<u>34,676.47</u>	<u>136,332.59</u>
<b>Executive Committee:</b>			
Staff Travel	29.06		29.06
Office Supplies	16.87		16.87
Delegate Per Diem	9,050.00	50.00	9,100.00
Meeting Expense	1,610.00		1,610.00
	<u>10,705.93</u>	<u>50.00</u>	<u>10,755.93</u>
<b>Committee on Committee:</b>			
Delegate Per Diem	1,750.00		1,750.00
Meeting Expense	400.00		400.00
	<u>2,150.00</u>		<u>2,150.00</u>
<b>Rules Committee:</b>			
Delegate Per Diem	2,400.00		2,400.00
Meeting Expense	209.54		209.54
	<u>2,609.54</u>		<u>2,609.54</u>
<b>Composite Committee:</b>			
Staff Travel	484.03	116.84	600.87
Delegate Per Diem	50.00	4,300.00	4,350.00
Meeting Expense	420.00		420.00
	<u>954.03</u>	<u>4,416.84</u>	<u>5,370.87</u>
<b>Research:</b>			
Salaries	175,147.55	50,469.89	225,617.44
Staff Travel	243.55	233.64	477.19
Equipment Rental	12,649.73	5,477.88	18,127.61
Office Supplies	9,405.21	651.35	10,056.56
Printing	538.93	2,149.73	2,688.66
Postage	3,925.84		3,925.84
Telephone	1,490.29	1,713.96	3,204.25
Equipment Purchase	603.25		603.25
Major Repairs	11,799.00		11,799.00
Health Insurance	1,086.32		1,086.32
Life Insurance	294.55		294.55
State Retirement	9,615.10		9,615.10
Teacher's Retirement	1,073.03		1,073.03
FICA		460.90	460.90
	<u>227,872.35</u>	<u>61,157.35</u>	<u>289,029.70</u>
<b>P-1 Committee:</b>			
Delegate Per Diem		850.00	850.00
Wages-Per Diem		30.00	30.00
		<u>880.00</u>	<u>880.00</u>
<b>P-2 Committee:</b>			
Delegate Per Diem	900.00	150.00	1,050.00
Meeting Expense	780.00		780.00
	<u>1,680.00</u>	<u>150.00</u>	<u>1,830.00</u>

P-3 Committee:			
Delegate Per Diem	450.00		450.00
Wages-Per Diem		30.00	30.00
	<u>450.00</u>	<u>30.00</u>	<u>480.00</u>

Expenditures by Committee 7/31/73

P-4 Committee:			
Salaries	6,444.09	3,163.90	9,607.99
Travel		1,014.55	1,014.55
Office Supplies	331.35	292.90	624.25
Printing	279.25	71.25	350.50
Delegate Per Diem	1,100.00	100.00	1,200.00
Meeting Expense	60.00	30.00	90.00
Equipment Purchase		429.98	429.98
Postage	231.74	446.42	678.16
	<u>8,446.43</u>	<u>5,549.00</u>	<u>13,995.43</u>

S-1 Committee:			
Delegate Per Diem	420.00	1,550.00	1,970.00
Wages-Per Diem	4,300.00	150.00	4,450.00
	<u>4,720.00</u>	<u>1,700.00</u>	<u>6,420.00</u>

S-2 Committee:			
Delegate Per Diem	6,600.00	3,750.00	10,350.00
Wages-Per Diem	480.00	240.00	720.00
Meeting Expense	257.47		257.47
	<u>7,337.47</u>	<u>3,990.00</u>	<u>11,327.47</u>

S-3 Committee:			
Delegate Per Diem	5,250.00	550.00	5,800.00
Wages-Per Diem	420.00	90.00	510.00
	<u>5,670.00</u>	<u>640.00</u>	<u>6,310.00</u>

S-4 Committee:			
Delegate Per Diem	11,300.00	3,900.00	15,200.00
Wages-Per Diem	540.00	30.00	570.00
Meeting Expense	4.24	(4.24)	
Staff Travel	66.56		66.56
	<u>11,910.80</u>	<u>3,925.76</u>	<u>15,836.56</u>

S-5 Committee:			
Delegate Per Diem	9,650.00	7,000.00	16,650.00
Wages-Per Diem	450.00	120.00	570.00
Staff Travel	90.59	28.15	118.74
	<u>10,190.59</u>	<u>7,148.15</u>	<u>17,338.74</u>

S-6 Committee:			
Delegate Per Diem	11,450.00	10,600.00	22,050.00
Wages-Per Diem	480.00	270.00	750.00
Staff Travel	116.66		116.66
	<u>12,046.66</u>	<u>10,870.00</u>	<u>22,916.66</u>

S-7 Committee:			
Delegate Per Diem	12,000.00	3,150.00	15,150.00
Wages-Per Diem	360.00	60.00	420.00
	<u>12,360.00</u>	<u>3,210.00</u>	<u>15,570.00</u>

S-8 Committee:			
Delegate Per Diem	5,900.00	2,050.00	7,950.00
Wages-Per Diem	420.00		420.00
	<u>6,320.00</u>	<u>2,050.00</u>	<u>8,370.00</u>

Grand Total	427,079.92	140,443.57	567,523.49
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Bills due and payable to the White House Inn as follows:

Materials and Labor for Construction of Walls in the Treaty Room  
and Independence Hall for the Constitutional Convention

\$ 5,623.81

Charges for rooms --- Security Officers 636.00

Hall Rental = 17 days @ \$200.00 per day 3,400.00

Treaty Room Rental = 17 days @ \$40.00 680.00

Total Due: \$ 10,339.81

WHITE HOUSE INNS  
AND AFFILIATES

[2]

## Labor:

200 hours at \$5.00 per hour ..... 1000.00  
80 hours at \$7.50 per hour ..... 600.00  
150 hours at \$2.00 per hour ..... 300.00

Total of Materials &amp; Labor ..... \$5623.81

No contract was ever processed on renovation so signatures of both  
Mr. E. L. Henry and Mr. Gordon Flory would be necessary on all these  
expenditures before payment can be made.

## APPENDIX "C"

WHITE HOUSE INNS  
AND AFFILIATES

White House Inn  
70 Houston Street, N.E.  
Atlanta, Georgia 30303  
(404) 659-2611

White House Inn  
237 West Trade Street  
Charlotte, N.C. 28203  
(704) 332-3121

White House Inn  
1515 North 3rd Street  
Baton Rouge, Louisiana 70821  
(504) 366-0131

President Motel Inn  
1719 E. 9th Highway  
Georgetown, Kentucky 40113  
(606) 351-1002

The Clayton Inn  
Third and Taylor Street  
Dayton, Ohio 45402  
(513) 922-3121

Vanderberg Inn  
1316 North Broadway  
Santa Maria, California 93454  
(805) 922-6631

Canyon Motel and Country Club  
2816 South Palm Canyon Drive  
Palm Springs, California 92265  
(714) 327-1521

Executive Offices: 375 Park Avenue, New York, N.Y. 10022

Administrative Offices: 70 Houston Street, N.E., Atlanta, Georgia 30303

## STATEMENT



WHITE HOUSE INN

P.O. BOX 2111 P.O. BOX 2269  
BATON ROUGE, LOUISIANA 70821

Charges for rooms---Security Officers

-CC 73

August 6, 1973

Constitutional Convention  
Attention: Mr. S. Moore  
Post Office Box 17740-A  
Baton Rouge, La.

MATERIALS AND LABOR FOR CONSTRUCTION OF WALLS IN THE TREATY ROOM AND  
INDEPENDENCE HALL FOR THE CONSTITUTIONAL CONVENTION

## Invoices as attached

Alford Stile & Lock Co., Inc. Locks and Keys for Treaty Rm.	161.67
Acme Sign & Poster Co. Reactivated Parking signs	16.96
Evans #25382, 25129, 24985, #4057 Lighting for Treaty Room	683.72
Juben Lumber Paneling & supplies for Treaty Room and room for voting equipment	1940.78
Ext. Inc. #1880 Paneling Ind. Hall	56.42
Evans #25122, 25120, 25084	156.42
Ext #17711 and 13a36 Electric and mechanical supplies	246.17
Louisiana Electric Co. (Electric Work)	801.53

PLEASE DETACH UPPER PORTION AND RETURN WITH YOUR REMITTANCE \$

DATE	REFERENCE	CHARGES	CREDITS	BALANCE
BALANCE FORWARD				
July '73	Allen Peters	159.00		636.00
July '73	Clarence Chaisson	159.00		
July '73	Willie Walker	159.00		
July '73	Ernest Marcelle	159.00		

White House Inn  
70 Houston Street, N.E.  
Atlanta, Georgia 30303  
(404) 659-2611

White House Inn  
237 West Trade Street  
Charlotte, N.C. 28203  
(704) 332-3121

White House Inn  
1515 North 3rd Street  
Baton Rouge, Louisiana 70821  
(504) 366-0131

President Motel Inn  
1719 E. 9th Highway  
Georgetown, Kentucky 40113  
(606) 351-1002

The Clayton Inn  
Third and Taylor Street  
Dayton, Ohio 45402  
(513) 922-3121

Vanderberg Inn  
1316 North Broadway  
Santa Maria, California 93454  
(805) 922-6631

Canyon Motel and Country Club  
2816 South Palm Canyon Drive  
Palm Springs, California 92265  
(714) 327-1521

Executive Offices: 375 Park Avenue, New York, N.Y. 10022

Administrative Offices: 70 Houston Street, N.E., Atlanta, Georgia 30303

WHITE HOUSE INN  
1570 N. THIRD STREET  
P.O. BOX 2111 P.O. BOX 2269  
BATON ROUGE, LOUISIANA 70821

PLEASE RETURN  
THIS PORTION TO  
WHITE HOUSE INN



# STATEMENT

## WHITE HOUSE INN

1515 N. THIRD STREET  
BATON ROUGE, LOUISIANA 70801

Constitutional Convention  
Attention: Mrs. B. Roberts  
Post Office Box 17740-A  
Baton Rouge, La.

PLEASE DETACH UPPER PORTION AND RETURN WITH YOUR REMITTANCE \$

DATE	REFERENCE	CHARGES	DEBITS	BALANCE
BALANCE FORWARD				

### HALL RENTAL

July 5, 1973	200.00
July 6, 1973	200.00
July 11, 1973	200.00
July 12, 1973	200.00
July 13, 1973	200.00
July 14, 1973	200.00
July 16, 1973	200.00
July 19, 1973	200.00
July 20, 1973	200.00
July 25, 1973	200.00
July 26, 1973	200.00
July 27, 1973	200.00
July 28, 1973	200.00
August 1, 1973	200.00
August 2, 1973	200.00
August 3, 1973	200.00
August 4, 1973	200.00

\$3,400.00

WHITE HOUSE INN

1515 N. THIRD STREET  
PHONE 348-0111 P. O. BOX 2269  
BATON ROUGE, LOUISIANA 70801

WHITE HOUSE INN

1515 N. THIRD STREET  
PHONE 348-0111 P. O. BOX 2269  
BATON ROUGE, LOUISIANA 70801



# STATEMENT

## WHITE HOUSE INN

PHONE 348-0111 P. O. BOX 2269  
BATON ROUGE, LOUISIANA 70801

Constitutional Convention  
Attention: Mrs. B. Roberts  
Post Office Box 17740-A  
Baton Rouge, La.

PLEASE DETACH UPPER PORTION AND RETURN WITH YOUR REMITTANCE \$

DATE	REFERENCE	CHARGES	DEBITS	BALANCE
BALANCE FORWARD				

### Treaty Room Rental

July 5, 1973	40.00
July 6, 1973	40.00
July 11, 1973	40.00
July 12, 1973	40.00
July 13, 1973	40.00
July 14, 1973	40.00
July 16, 1973	40.00
July 19, 1973	40.00
July 20, 1973	40.00
July 25, 1973	40.00
July 26, 1973	40.00
July 27, 1973	40.00
July 28, 1973	40.00
August 1, 1973	40.00
August 2, 1973	40.00
August 3, 1973	40.00
August 4, 1973	40.00

\$680.00

WHITE HOUSE INN

1515 N. THIRD STREET  
PHONE 348-0111 P. O. BOX 2269  
BATON ROUGE, LOUISIANA 70801

WHITE HOUSE INN

1515 N. THIRD STREET  
PHONE 348-0111 P. O. BOX 2269  
BATON ROUGE, LOUISIANA 70801

Educational Background.

BA - LSU, 1960-1964, Journalism

Experience and Activities

Account Executive, Film of Ours, Baton Rouge, La., 1964-1967  
Executive Supervisor, Security Systems, Inc., Baton Rouge, 1967-1967  
Director, Public Relations, Earl Klong, Baton Rouge, 1967-1967  
Publicist, Louisiana National Guard, Baton Rouge, 1967-1967  
Editorial Assistant, State Department, Baton Rouge, 1967-1967  
Reporter, Monroe Morning World, 1967-1967

it is legal. Mr. Juneau introduced Mr. Max Petty of The Louisiana Educational Television Authority, who answered questions with respect to the filming of the documentary.

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Suggestions and recommendations as solutions to problems involved in production of a documentary film were as follows:

1. Concurrent resolution passed during the upcoming special session of the legislature to approve \$15,000 expenditure for a documentary film. It may be that resolution should further clarify funds that may be used for "educational purposes" so that a document of work of the convention may be published for distribution to the people.
2. Public Information Committee get all facts and figures together.
3. After the groundwork (as set out above) is completed, get written opinion from office of the Attorney General.
4. Consider a committee to review the film in proposed stage.

It was agreed that if the Committee on Public Information could have an answer within ten days it would be helpful.

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MINUTES

Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973 (No quorum)

Held pursuant to notice properly issued by the Secretary of the Convention

Committee Room 5, State Capitol, Baton Rouge, Louisiana

Tuesday, November 20, 1973, 8:15 a.m.

Presiding: E. L. Henry, Chairman of the Executive Committee

Present:

Absent:

E. L. "Bubba" Henry, Chairman  
Ruth L. Miller, 1st Vice-Chmn.  
Moise Denney, Secretary  
Herman "Monday" Lowe, Treasurer  
John A. Alario, Jr.  
Rev. Avery C. Alexander, V-C  
Lawrence Chehardy  
R. Harmon Drew  
Gordon Flory  
Arthur J. Planchard  
Lantz Womack

Thomas A. Casey, V-C  
Norman E. Carmouche  
Ralph L. Cowen  
Frank Fulco  
Rev. Louis Landrum, Sr.  
Autley B. Newton  
Samuel B. Nunez, Jr.  
Chris J. Roy, V-C  
Perry Secura  
John R. Thistlethwaite  
Anthony J. Vesich, Jr.  
Shady R. Wall

Chairman Henry stated that the purpose of this meeting is to give consideration to the production of a thirty-minute color film documentary on CC/73; and though a quorum has not been established, the members present could proceed with discussion of the matter. He requested that Mr. Juneau, Chairman of the Committee on Public Information, give an explanation of the project.

Copies of a prepared statement and proposed budget to accomplish the producing of a television documentary were distributed, a copy of which is attached hereto and made a part of these minutes. Mr. Juneau explained that the film would be for the purpose of educating the people of the state of Louisiana as to facts concerning CC/73, such as why and how the convention was called, how it functions, and what it produces. He pointed out the impossibility of getting this important information before the people on the limited amount of money (\$15,000.00). However, since this project would be for educational purposes now, and in future years, it has been possible to accomplish the setting up of a matching fund through the Department of Education whereby the amount expended by the convention will be matched by the Louisiana Committee for the Humanities. Mr. Juneau also stated that the television stations in the state have been contacted and all of them will be glad to put such a film on the air at a prime time. With respect to the legality of going forth with this project, the office of the Attorney General has been contacted and has rendered the opinion that

THE CONSTITUTIONAL CONVENTION 1973

A Color Film Documentary

With a Unified Effort of the

General Convention Public Information Office

and

The Louisiana Educational Television Authority

This proposal is a plan to produce a 30-minute color film documentary explaining why the Convention was called, how it functioned, and what it produced. The film is designed to be a visual and aural recording of this historical event for educational purposes.

The film will be presented as a news documentary. Some film clips from television news departments will be used to show actual events pertaining to the Convention. Graphics will be produced by Louisiana Educational Television Authority's Art Department.

Dr. William C. Norris will serve as Producer for the series. Mr. Charles Machen, Public Information Director for the Convention, will serve as Director.



BUDGET

Project Director and Producer	5,000
Film stock, lab processing, work print	10,000
Rental of double system sound equipment	1,000
Academic humanist	1,000
Research	2,000
Script writer	1,000
20 final copies for libraries	3,000
Graphics supplier	2,000
Music and rights	1,000
Travel	1,000
Administration	3,000
	<b>\$30,000</b>

PUNDING

Louisiana Committee for the Humanities	15,000
Constitutional Convention	<b>15,000</b>
	<b>\$30,000</b>

MINUTES

Minutes of the Executive Committee  
of the Constitutional Convention of  
Louisiana of 1973

Treaty Room, White House Inn,  
Baton Rouge, Louisiana  
Saturday, January 5, 1974, 12:45 p.m.

Presiding: E. L. "Bubba" Henry, Chairman

Present: E. L. Henry	Absent: Lawrence A. Chehardy
John A. Alario, Jr.	Ralph L. Cowen
Avery C. Alexander	Anthony J. Vesich, Jr.
Norman E. Carmouche	Shady R. Wall
Thomas A. Casey	Lantz Womack
Moise W. Denberry	
R. Harmon Drew	
Gordon Flory	
Frank Fulco	
Louis Landrum, Sr.	
Herman Lowe	
Ruth Miller	
Batley B. Newton	
Samuel B. Nunez, Jr.	
A. J. Planchard	
Chris J. Roy	
Perry Semura	
John R. Thistlethwaite	

Chairman Henry called the meeting to order, the roll was called and quorum established.

The chairman requested Mrs. Norma Duncan to explain the resolution introduced by Delegate Casey relative to the re-taining of the three Research Coordinators on the staff on a part-time basis. Mrs. Duncan pointed out that the Coordinators are on loan to the Convention from three universities. At the time of their employment the closing date of the Convention would have been January 5, 1974. However, due to the extension of time granted the Convention in the 1973 Extraordinary Session which set the new closing as January 19, 1974, it will be necessary for them to return to their regular positions before certain responsibilities with the Convention have been completed. Mr. Casey moved the adoption of the resolution. The resolution was adopted without objection. A copy of Executive Committee Resolution No. 1 of January 5,

1974 is attached hereto and made a part of these minutes.

The second resolution was introduced by Mr. Casey. Upon request of the chairman, Mr. Patrick A. Juneau, Jr., Chairman of the Committee on Public Information, orally reported on behalf of that committee, setting forth the details of its decisions leading to the authorizations requested in the resolution. After deliberation and suggested amendments, Delegate Casey moved adoption of the resolution. The resolution was adopted by a vote of eleven FOR and four AGAINST. A copy of Executive Committee Resolution No. 2 of January 5, 1974 is attached hereto and made a part of these minutes.

The meeting adjourned at 2:45 p.m.

*E. L. Henry*  
E. L. Henry, Chairman

*Moise W. Denberry*  
Moise W. Denberry, Secretary

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Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 2 of January 5, 1974

Introduced by: Mr. Casey

## A RESOLUTION

BE IT RESOLVED that the Executive Committee authorizes the Director of Research, with the approval of the Chairman of the Convention and the Chairman of the Subcommittee on Staff and Personnel, to continue in the employ of the Convention the three Coordinators of Research on a part-time basis according to the availability of their services with compensation to be continued on a prorata basis of the present scale of compensation.

BE IT FURTHER RESOLVED that the authority of this Resolution be contingent upon the acceptance of the same according to the provisions of the applicable law of the State of Louisiana.

ADOPTED: *Jan 5, 1974*  
*EB*

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 2 of January 5, 1974

Introduced by: Mr. Casey

## A RESOLUTION

BE IT RESOLVED that the Executive Committee authorizes the Public Information Committee to expend up to the sum of two hundred twenty thousand five hundred twenty dollars (\$220,520) for the purpose of publishing and distributing a tabloid of the final document.

Mayor Alario moves that the Executive Committee reconsider and rescind its prior \$26,000 appropriation to the Public Information Committee. The motion was adopted unanimously.

Mr. Alario then moved to reconsider the motion to rescind and lay that motion on the table. Without objection, it was so ordered.

Deleate Alexander then moved to appropriate to the Public Information Committee and to authorize that committee to expend up to \$25,000 for the purposes set out in the resolution set forth above, namely, official publication, printing, distribution by mail, and notification of the citizens of the state by means of advertising that the document shortly will be mailed. The motion was unanimously adopted.

There being no further business, the meeting was adjourned.

Respectfully submitted,

*Handwritten signature*  
SECRET 3 BY

A breakdown of the response is as follows:

1) Cost of mailing:	\$100,000
2) Cost of type setting:	11,000
3) Cost of official journal publication:	5,000
4) Cost of advertising:	2,000

2. Abstract (100-150 words)

Chairman Henry called the meeting to order, the roll  
 call, and the meeting was adjourned.

Mr. Lowe presented a resolution relative to the  
revision of the proposed new constitution for the committee's  
consideration. After some discussion, Mr. Lowe moved that



# B. Subcommittee Minutes

## 1. Subcommittee on Budget and Finance

### MINUTES

Minutes of the meeting of the Budget and Finance  
Sub-Committee of the Constitutional Convention of 1973

State Capitol, Baton Rouge, Louisiana  
Thursday, February 22, 1973, 10:00 a.m.

Presiding: Herman "Monday" Lowe, Chairman of the Budget  
and Finance Subcommittee

Present: Representative John Alario, Jr.  
Ralph L. Cowen  
Mrs. Ruth Miller  
Arthur Planchard  
Representative Lantz Womack

Others Present: Bernice Weaver, Accountant for the Treasurer  
Kirby Smith, Legislative Auditor's Office  
Jim Faulkner, Division of Administration  
Will Favre, Division of Administration  
Jack Lord, State Times  
Tom Jory, Associated Press  
Bill Lynch, New Orleans States Item

The Chairman stated that at the last meeting of the subcommittee there had not been a secretary present. He had prepared a brief outline of actions taken in the previous meeting, a copy of which is attached hereto and made a part of these minutes, and called attention to the three resolutions which had been adopted. Mr. Lowe explained to the members that the first two resolutions had been complied with and it was not necessary to comply with the third due to the fact that the Legislative Auditor's Office was required to audit the financial records of the Convention, thus it would be more prudent to obtain assistance from the Division of Administration.

Chairman Lowe presented to the members copies of financial statements prepared by Mr. Jim Faulkner setting forth the status of finances as of January 31, 1973, and February 15, 1973. Copies of these statements are attached hereto and made a part of these minutes. In the discussion that ensued during examination of these statements by the members, certain subject matters were explored and suggestions offered with solutions to the problems pointed out. It was pointed out that the funds appropriated for purposes of the Constitutional Convention are sufficient to pay the costs of the convention only through the 1973 session of the Legislature. Mr. Lowe and Mr. Faulkner explained that the financial statements presented were prepared using the \$350,000 figure set out in the Act, and informed the subcommittee members that an accurate projection of expenses is impossible at this time, since the hiring of personnel for the Research Staff has not been completed and details of purchasing of supplies and quantities need to be worked out. It is hoped that at the next meeting these figures will be available.

It was suggested that the committee might wish to issue a clarifying statement to the press where the proposed budget is concerned, since the Convention has received such bad publicity in this respect. The terminology used does not seem to be understood by the general public, and thus the idea has developed that the funds appropriated have been used. Also, it seems that due to

publicity received, especially with respect to the articles published in the newspapers stating the amount of money spent for coffee at meetings, the general public in some areas of the state has been led to believe that the funds have been misused. A suggestion was

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offered that members of the press present be requested to offer suggestions as how best to handle news releases so that the convention and its committees will receive the proper publicity. After discussion, it was decided to leave the subject of press releases for decision at a later time.

Chairman Lowe explained that at this stage of the handling financial matters of the convention we are faced with two problems: (1) the handling of purchasing before committee budgets are finalized, and (2) the handling of purchasing after committee budgets are set. To alleviate as many problems as possible in the first category, he suggested that this subcommittee recommend to the Executive Committee that Mr. E. L. Henry, Chairman of the Convention, be authorized to sign purchase requisitions for the purchase of equipment and supplies necessary to carry out the business of the convention. He further suggested that a subcommittee on purchasing be established to review and approve all purchases for the convention. It was stated that Mrs. Norma Duncan, Director of Research, previously was authorized to make purchases, as she would be best qualified to determine the equipment and supply needs of the research staff. Copies of these requisitions for purchases made by the Research Director will be transmitted via Chairman Henry to the subcommittee on purchasing for its review. The subcommittee will then transmit the requisition copies to the Division of Administration so that purchasing procedures are in compliance with existing state laws. Mr. Ralph Cowen moved that this be presented to the Executive Committee at the meeting later this afternoon. The motion was seconded by Lantz Womack and was approved. A copy of the resolution drafted is attached hereto.

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It was then decided that after the budget is established, the purchase requisition would be authority to purchase supplies and equipment so long as the purchase fits within the budget, thus the second problem as stated by the chairman would not exist.

The chairman next opened discussion concerning the bonding of the Constitutional Convention staff. It was stated that state law requires that an agency have a property control agent and that this agent be bonded. A decision was reached that since the Division of Administration would be purchasing the equipment needed for the convention staff and the convention will only be renting it from it, their property control agent possibly could act as property control agent, and he is already bonded. Mr. Lowe also stated

that, since the convention would be renting the equipment, a thorough check of the equipment will be made each month before the rental fee is paid to the Division of Administration. Following discussion, it was decided that it would be a wise move to bond Mr. Herman Lowe as Treasurer of the Convention. A motion was offered by Mr. John Alario, seconded by Mr. Ralph Cowen, that a resolution be drafted and presented in the Executive Committee meeting to be held at 1:30 this same day, authorizing the bonding of Mr. Lowe. It was unanimously adopted and a copy of this resolution is attached hereto and made a part of these minutes.

There being no further business, the subcommittee adjourned at 11:45 a.m.

*Herman Monday* *Lower*  
Herman Monday Lower, Chairman

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#### NOTES

Attachments to February 22 Minutes are found in report to full committee on January 23, 1973.

CC/73  
Budget and Finance Sub-Committee  
Meeting of Tuesday, January 23, 1973  
11:30 A.M. to 12:30 P.M.

State Capitol - Committee Room #8 - Baton Rouge, Louisiana  
Meeting called to order at 11:30 by Chairman Lowe.

On roll call following members were present:

Womack  
Alario  
Miller  
Planchard  
Cowen

After considerable discussion the following resolution was adopted and referred to the Executive Committee for consideration:

#### Resolution #1

Moved by: Womack  
Seconded by: Cowen

That the Honorable Edna Edwards, Governor of the State of Louisiana, be informed that CC 73 will probably need additional funds during the current fiscal year July 1, 1972 to July 1, 1973 and that this need should be anticipated in the future meetings of the Board of Liquidation of the State of Louisiana.

#### Resolution #2

Moved by: Cowen  
Seconded by: Womack

That the Chairman of the Budget and Finance Sub-Committee be authorized to assemble all of the estimated expenses of CC/73 from the date of inception of CC/73 to date and that these estimated figures be presented to the Executive Board at its meeting of January 23, 1973.

#### Resolution #3

Moved by: Planchard  
Seconded by: Cowen

That the Chairman of the Budget and Finance Sub-Committee be authorized to contact the Honorable Joe Morris, Legislative Auditor and request that he provide from his staff, sufficient accounting personnel to assist the Budget and Finance Sub-Committee.

There being no further to come before the meeting it was moved by Mr. Womack, seconded by Mr. Cowen and carried that the meeting be adjourned.

Chairman





MUNEZ: What legal bind do we have in this convention not to do business with TJM if the state is contracted and I understand the contract mentions convention printing.

LASEBY: Served legislature for a few years; know the way, and think we know more about what to expect than anyone else. What we do expect between now and the time this Convention is over and Constitution is rewritten, we expect probably an introduction of some other products. We know what those products are. We expect probably the interim calendars; a final calendar; we will expect a journal at the end of Convention; we expect daily proof sheets for every day that this Convention is in session, and looking at the whole ball of wax and looking at the differences in the operational nature of the House and the Senate for you in this Convention we have a proposal for you today and I have a LETTER OF INTENT for you Sen. Nunez if you would like to take it back to the Executive Committee next week.

HENRY: With respect to State Printing Contract; does that mean that we have to let someone else print it?

POYNTER: Contract provides that whatever party does any printing always retains the option of having that done by the individual agency -- by the state.

MUNEZ: Then if we can get it cheaper we can proceed.

FLORY: Could you make a dry run; just take one day's copy, and the four operators worries me. How fast can they feed in; would 4 operators be sufficient.

MUNEZ: Would like to have this to guide this committee in making a decision to bring back to Executive Committee.

ROEMER: They would be trained people to do this.

POYNTER: Do you have any quarrel with figures Roemer prepared relative to cost?

THISTLEDAITE: Wondered why we needed four operators, because this is a productive thing.

LASEBY: Extraordinarily well prepared paper. The costs that are in here takes a great deal to time under present contract format to take a product and put a price on it. Will not quarrel with prices. We are in accordance with contract with one exception. When

MUNEZ: Would this be the type of paper; the glossy type?

HAYES: Not on newsprint. Daily piece of material would come out on 20 lbs.

POYNTER: Noticed you didn't have any people for proofing copy.

HAYES: When CRT punches it in there will be proofing on scope. 2 people to perform this function. No problem with proof reading.

FLORY: If you can print the journal in this fashion, why couldn't you put all the bills of the legislature on this same type of equipment.

HAYES: We're saying we can.

HENRY: How much would that save? You talk about 30% and now it looks like 5%.

MUNEZ: TJM says he will print it for 80% of the cost of the House, which means a 20% savings, and I just took that 20% and said we are saving \$112,000; 20% less would be about \$85 to \$89,000 savings.

ROEMER: We'll stay with the 30%.

ROEMER: Profits had to be measured in small percentages.

POYNTER: You anticipate no problems in a conversion factor in format?

HENRY: I want to know what it is going to cost the folks when it is over.

ROEMER: No problem.

MUNEZ: If we go with Division of Administration we save state \$110,000.

HENRY: You just saved enough money to get an electronic equipment.

LOWE: I agree with Mr. Henry that Division of Administration has done a terrific job; think that what Henry is suggesting for TJM to take figures and come back to relate their figures as to what they can do or can't do.

MUNEZ: Why don't we just settle on a figure. Mr. Lowe has given a pretty good estimate of the number of days and pages.

LOWE: I agree with everybody opportunity to see if we can do this at a savings to state; we have a proposal that gives us that savings to state. Unless legal contract with state can come up with something comparable to it we will have to make a decision based on that.

HENRY: Figures are accurate.

MUNEZ: Have given everybody opportunity to see if we can do this at a savings to state; we have a proposal that gives us that savings to state. Unless legal contract with state can come up with something comparable to it we will have to make a decision based on that.

LOWE: 50% mark-up equalizes everything between commercial and state.

MUNEZ: \$1400/day savings on 80-day basis or total of \$112,000 savings.

MEYERER: Talked with out of state printers; done some other studies of our own and proceeding on assumption that input would be the same -- if output and time frame would be the same. Have no handout. Have determined that internally Convention as opposed to the legislative work, would be some internal difference. We think there will be about 50% less volume overall. Convention will only have one body opposed to two, the House and Senate. Fewer committees. Convention only has 8 committees compared to 29 standing committees. You will have 4 instruments as opposed to 6 in the House & Senate. Fewer roll calls than Regular Session; fewer work days; fewer procedural steps; no petitions and memorials. Delivery requirements would be less. Delivery would be to one location each day and not a number of departments as we have for the legislature. After these studies, we have gone back and again looked at tape and types of type-setting and conclude that the same copy preparation; same methods and so on that we have done in the past is what is most economical and most efficient.

FULCO: Are we asking for quotation from Moran on house journal comparable to this size (8 1/2 x 11); per page, on per page basis; is this what we are asking for? Are we also asking for quotation on per page for calendar?

DON: All figured on square inch basis. Yes on calendar for same number of pages and same number of product.

DON: Would you meet with me and give me your assumption regarding number of copies plan to print.

HAYES: 750 copies. I will meet with you.

LYNCH: They've given us information reflecting the difference for the 80 days for 20 page journal but didn't give total cost figure.



NUNEZ: Total cost per day - Division of Administration  
\$1841 x 80 days.  
TM \$56.82 x 80 x \$4812, or a difference of \$112,000  
savings.  
(\$56.82 x 50 x 80 = \$219,280 - Administrative Services  
(\$96.24 x 50 x 80 = \$307,968) = TM  
Savings of \$80,288

Meeting will be Monday morning at 10:30

LYNCH: Does this \$80,000 figure include 50% mark-up?

NUNEZ: Yes Sir.

HAYES: No it does not include 50% mark-up. Yes it does.

BANKSTON: I'm with Baton Rouge Printing and I would like to know if the state already owns computer or will state buy Photon computer?

HAYES: Leased for duration of convention.

FLORY: Made a motion for adjournment.

No opposition to motion; Committee recessed until 11:00 A.M. Monday morning, February 12, 1973.

END

# CONSTITUTIONAL CONVENTION 1973

SUB-COMMITTEE ON PRINTING  
OF THE  
EXECUTIVE COMMITTEE  
February 12, 1973

Chairman Nunez Presiding.  
Secretary called the roll:

Henry  
Flory (present)  
Fulco (tardy)  
Lindren  
Lowe (present)  
Newton (present)  
Nunez (present)  
Thistlewaite (present)

NUNEZ: Stated that Mr. Ed Hardin was present on behalf of David Poynter.

NUNEZ: At the last meeting we heard a proposal from the Division of Administration where it was proposed that the Convention could save approximately \$100,000.00 by allowing the Division of Administration to print the Journals. We then heard from TM and we will hear from them this morning. We will start the meeting by allowing the gentlemen from TM to give their proposal on the printing of the journal.

LOWE: Mr. Chairman, we have had some figures from the Division of Administration and Paul had given me a copy of a recomputation of these figures and while we have these fresh in our mind and have no other figures on this, would it be in order for the Division of Administration to go back through and tell us what they have done. I am under the impression that we are going to be comparing what we have from the Division of Administration and what TM is proposing to us. It would be helpful if we had the correct figures which we are comparing.

NUNEZ: I think that it would be in order. Wednesday, the Division of Administration gave us a written proposal and TM gave us a verbal proposal and we were trying to get something in writing from them for the sub-committee to report back to their own committee. I think it would be in order if at this time you wanted to go ahead and review the Division of Administration figures.

LOWE: They are somewhat revised, I believe, and it would be somewhat helpful to get the revised figures before we start thinking about TM's figures.

NUNEZ: Mr. Roemer

ROEMER: What we did in the revision was to take the proposal as we understood TM to present it - that is to namely take the bid price that they currently were operating under, discount this by the 20% as proposed and compare that with the recomputed figures that we had presented. We had an error pointed out in our figures to us by Mr. Lowe. We had included a charge twice. We removed that which brought our figures to a per page of \$41.85. The TM price of \$56.24 was taken from the contract less their 20%. They had in the past received a 75% savings to the state on a part of their charges where they were able to reflect this saving through the use of some type that they had set up, and they did not have to reset the type and that figure we did not add in because I did not want to be in a position of telling TM how they were presenting their bids. The bids that we compared with at the last meeting we had discounted the 75% figure. I wish to point out that these figures do not reflect that. I am certain TM will want to bring that out when they give their presentation. We actually simplified

our figures by listing daily proofs and final journal figures as a straight \$10.00 per page cost. The composition figures that we list there are taken care of on page 3. By a breakdown you'll find that the computer cost, the type-setting cost and then we increased that by a 50% markup. The 50% markup was already in the \$10.00 per page flat fee for the proofing and the final journal fee. We multiplied the daily savings that were computed at that point by the 80 day figure which is rather arbitrary. The least error would be in the smallest column denominator. I would like to point out also that there has been considerable interest aroused in this problem and there is one position of the Division of Administration I would like to make clear. We have no great desire to do this job but we do have the capabilities to do this job. If we can obtain the same services outside at the same cost then this is part of your deliberation

Mr. Roemer, may we have two sets of those figures for the record.

NUNEZ: On your revised figures for an 80 day session you have a savings of \$150,567.20.

ROEMER: Right.

NUNEZ: Evidently, you based this on the new proposal TM has put forth to the committee verbally of a printing cost of 20% less than the present cost of the journal.

ROEMER: I understood at the last meeting that their proposal was to give 30% off of the present contracted price. I feel that there is an additional savings of the reclaimable type that already fits if they see fit to propose this. During the last session of the legislature they saw fit to discount by 75% a portion of the charges. I compute this to be roughly 35% of their total billing and 75% of that portion.

NUNEZ: Any questions on Mr. Roemer's proposal

LOWE: The type setting cost, Mr. Roemer. There's a per day charge on the Photon 77 of \$184.00 and if the convention should need only two days would you be charged 5 days and would you have to allocate that charge for a 100 day journal over five days.

ROEMER: We don't really know how long the convention will last. We have a monthly charge for the use of the equipment. The longer the convention is the more opportunity we will have the equipment available for other jobs we could use it on. But not giving any credit to this, there are fixed expenses in here which will decrease and the two should offset each other.

LOWE: But this \$184.00 could go up

ROEMER: It could go up and other figures go down.

FLORY: Are you saying that the \$1700.00 for the 30 days is on a calendar day basis. I presume that he got that by dividing the \$5000.00 monthly cost by 30 days.

LOWE: If we came down to 10 days in a month we would end up with \$500.00 instead of \$184.00 depending on how you allocate the expenses

ROEMER: Depending on how you allocate the expenses we would have the machine available for other jobs

LOWE: I'm not sure we're putting everything in the proper context. We talk about one thing and then about something else we're talking it. I'm not sure we will have all the information that we need. For instance, Mr. Roemer's says one cost could go down yet another could increase and I feel we should get into what those costs could possibly be and try to determine how they would affect the overall printing.

ROEMER: The longer this convention runs the greater the savings would be.

FLORY: I had in my mind on days in meeting days not calendar days

LOWE: We set up in our subject is meeting 80 days as a full convention. We have already met twice.

FLORY: But if we meet in the 71 days from July to January, you still have to pay the six month charge.

LOWE: You're talking about 260 days as it would be a ratio of 70 to 180, that would be the increase that he would have in the rental cost.

NUNEZ: The rental cost is a figure to increase. It's just a per day charge

FLORY: These figures are based on a per day charge. The per day charge is \$184 into a computation: based on a 10 day per day charge - 184 - or 184 that has to a 10 day per day charge - you increase the Nunez figures that were used to come up with a per day cost.

FLORY: This is providing the equipment is sitting idle.

FLORY: We want to bring the charges to the convention not to the services of the state. We are trying to isolate cost as far as the convention is concerned.

FLORY: Mr. Lowe is talking about the fact that there are some high expenses that the state would have to bear that are not necessarily being charged out here.

# GRAPHIC ARTS OF BATON ROUGE, INC.

(504) 344-4770  
1203 Highland Road  
P. O. Box 766  
Baton Rouge, La. 70821

February 12, 1973

# GRAPHIC ARTS OF BATON ROUGE, INC.

(504) 344-4770  
1203 Highland Road  
P. O. Box 766  
Baton Rouge, La. 70821

Members of the Constitutional Convention  
State of Louisiana  
Baton Rouge, Louisiana

Gentlemen:

As taxpayers, printers, and citizens of Louisiana we would like to present our thoughts on the printing of the Journal for the Constitutional Convention by the Division of Administration. While we do not completely disagree with the Division of Administration on their concept for handling work of this type, we would like to state the following thoughts:

First, the State must purchase material, services and software and must lease a phototypesetter and CRTs for a considerable sum.

The State will be paying \$5,000 for one time programming and then the State is also paying \$1,000 per month for program supervision and maintenance. What is the State receiving for this \$1,000 monthly and does this include a man on the job or is that extra?

The Photon 7700 is a computer slave device capable of handling two (2) type styles. For instance, you can run light and bold face and/or light and italic but there could be no intermixing of a third type style.

The Photon 7700 has no capacity to automatic insert leader, automatic insert space, tabulate or accept unjustified input. To get a machine that would do these necessary functions different specifications would apply and therefore, the figures as set forth in the Division of Administration proposal would not be valid.

We question the capabilities of the Photon 7700 to do this job. On one hand the machine is too large it is too do just the Convention work, and on the other hand, it is too limited to do the normal State composition requirements. The 7700 must be replaced by a computer and therefore is not adequate to do the many varied requirements of the State without going into additional expense of high loss program development.

## GRAPHIC ARTS OF BATON ROUGE, INC.

(504) 344-4770  
1203 Highland Road  
P. O. Box 766  
Baton Rouge, La. 70821

Members of the Constitutional Convention  
Baton Rouge, Louisiana  
February 12, 1973

Page 2

We question the lease price of \$5,000 per month on a day-to-day cancellation basis. We further question the per day charge of the Photon 7700. The Convention is going to meet off and on for some seven months and the lease on the machine does not cover this, whether it is working for the Convention or not. For seven months the cost of the Photon 7700 would be \$35,000 to the State, this is \$30,000 more than is represented in the Division of Administration proposal.

We question the advisability of having one (1) phototypesetter married to one (1) computer for such deadline jobs. For instance, if the computer develops a problem, or is in use for other State business, you cannot run the phototypesetter. If the phototypesetter is out of service, you can get no type. Therefore, if a problem arises in either place the total operation is imperative.

Further, we feel that the per page price can be done as economically in the commercial market as it can be done by the Division of Administration. The Committee should consider proven private enterprise before the State commits itself to the tremendous cost of setting up and operating an unproven system that it is not certain will achieve its ultimate goals. Having the work done commercially would unburden the State from entering into a lease contract and capital expenditures that have not been clearly defined or researched.

No one in the present framework of the Division of Administration has any experience in computerized phototypesetting. This complex system must have qualified personnel.

Nothing has been defined in the Division of Administration proposal as to how the output of the phototypesetter is to be handled from the output of the phototypesetter and the printing press. The output must be proofread, corrected, and imposed prior to printing. Corrections on photo composition is the hardest single step in the entire system.

Members of the Constitutional Convention  
Baton Rouge, Louisiana  
February 12, 1973

Page 3

If the Constitutional Convention has the power to purchase independently of the Division of Administration, bids can be advertised and other commercial establishments can furnish prices for doing the work on a competitive basis.

We checked on the State of Wisconsin, who is doing their own typesetting by computer. We found that they acquired a 7700 phototypesetter and found it would not satisfy their needs so they then acquired a 7000 which is estimated to cost in excess of \$200,000.

As businessmen, we feel that the approach by the Division of Administration to do their printing requirements for the Constitutional Convention has the good intentions to effect a substantial saving for the Convention, but we question whether the total outlay in capital or leases would effect a savings for the State.

Sincerely,  
  
Albert M. Bankston

  
B. B. Saxen

AMB:ec

## CC 73 TOTAL COST PROJECTION

### TIM LETTER OF INTENT

DAILY JOURNAL -	4000 PAGES	@	41.86	=	\$167,440
FINAL JOURNAL -	4000 PAGES	@	14.18	=	56,720
INTERIM CALENDAR I -	200 PAGES	@	40.00	=	8,000
INTERIM CALENDAR II -	300 PAGES	@	40.00	=	12,000
FINAL CALENDAR -	400 PAGES	@	14.18	=	5,672

TOTAL \$249,832

## CONSTITUTIONAL CONVENTION 1973 PRINTING PROPOSAL

### THE TJM CORPORATION

Daily Proof Sheets (See Exhibit I)	\$41.86 per page
Final Journal (See Exhibit II)	<u>14.18</u> per page
	\$56.04 per page

Division of Administration Proposal \$56.82 per page

SAVINGS WITH TJM \$ .78 per page



THE TJM CORPORATION

## STATEMENT

TYPICAL LEGISLATIVE BILLING  
DAILY PROOF SHEET

## COMPOSITION:

1400 sq. in. @ \$0.77 = \$1,078.00

## PAPER:

100 lbs. @ \$0.12/lb. = 12.00

1st Tax = 78.98

TOTAL = \$2,710.98

NOTE: 8-1/2" x 11" = 7.6 square inches = \$2.33 per page

COPIES Price - less 20% = \$41.86 per page

COST: 1000 PAGES @ \$0.77 = \$770.00

COPIES PRICE - LESS 20% = \$14.16 PER PAGE

Thank You

## TJM LETTER OF INTENT TO COPIES

TJM \$56.04 per page \$224,160

Div. of Adm. \$56.82 per page 227,240

SAVINGS WITH TJM \$ 3,120

\*50 pages per day for 60 days.

## COST

## 30-DAY TEST RUN

1 CRT \$ 167.00  
 1 CRT OPERATOR 425.00  
 1 CRT INSTALLATION 100.00  
 COMPUTER TIME 3,000.00  
 SYSTEMS & PROGRAMMING 1,800.00  
 SUB-TOTAL \$14,712.50

PHOTON 7700 \$ 4,000.00  
 SYSTEMS, PROGRAMMING 1,800.00  
 SUB-TOTAL \$ 5,800.00

PRINTING (ASSUME 100 PAGES) 3,100.00

GRAND TOTAL \$23,612.50

WON'T TAXPAYERS PAY THIS BILL?



THE TJM CORPORATION

JOHN COLEMAN LEGISLATIVE  
 1000 S. GARDEN ST.  
 BAYON LARSEN, LA.

TJM'S NET CASH REVENUE  
 AFTER ONE COPY IS  
 IN ORDER WITH NO DISCOUNT

DATE: 10-15-77  
 TIME: 10:15 AM  
 BY: J. COLEMAN

JOHN COLEMAN LEGISLATIVE

750 Copies - Official Journal - 2 Volumes - 2,000 Pages

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### 3. Subcommittee on Site Selection

#### MINUTES

Minutes of the Site Subcommittee of the Executive Committee of the Constitutional Convention of 1973

State Capitol, Baton Rouge, Louisiana

Thursday, March 22, 1973, 4:00 P.M.

President: Mrs. Ruth Miller, Chairman of the Site Subcommittee

Present: Mrs. Ruth Miller

John A. Alario

Gordon Flory

Jack Lord (Representative of the Press)

Anthony J. Vesich, Jr.

Mrs. Miller directed that the presence of Delegate Landrum be entered in the minutes. He was in attendance because he had received notification of the meeting.

Mrs. Miller then outlined the problems involved in site selection. She stated that she had received opinions from delegates that: (1) the convention should be held in the Capitol; (2) the convention should be held away from the political atmosphere of the Capitol. Mrs. Miller called on Mr. Flory to offer his recommendations as a resident of Baton Rouge familiar with possible meeting places in the city.

Mr. Flory spoke in favor of using Independence Hall as the best possible site away from the Capitol because of its location near the Capitol complex, its parking area, and food facilities.

The Chairman then recognized representatives of three electronic voting machine companies: James Thurston, International Roll Call; Aelred J. Kurtenbach, Daktronics; and F. Harrison Harvey, ELEN, Inc. These representatives stated their interest as prospective bidders on electronic voting equipment for the convention. Each representative explained the operation of his system and its application to convention needs.

Mr. Alario expressed concern about the cost, not only of voting equipment, but of accommodations at the White House Inn. Mrs. Miller directed that a firm price list be obtained from the White House Inn before the next meeting. She then indicated the needs of the convention were:

- (1) a convention hall
- (2) an enrolling room
- (3) chairman's lounge

(4) secretarial services area

Mrs. Norma Duncan requested that some space be made available for the staff in the vicinity of the convention floor.

Mr. Thistlewaite, on behalf of Committee member Lantz Womack, spoke in favor of Independence Hall and the facilities of the White House Inn.

Mr. Poynter, Chief Clerk of the convention, urged the necessity of acting in the near future if electronic voting equipment is to be utilized.

Mr. Lord raised the question of whether or not the House Chamber could be utilized. The House Chamber was eliminated from discussion due to the possibility of a special session, lack of space, and the expense of converting and reconverting the voting machine for convention purposes.

Mr. Flory then moved to recommend that Independence Hall, along with needed additional space in the White House Inn, be

-2-

used beginning July 5 until sine die adjournment of the convention.

Before considering the motion the committee inspected the facilities at the White House Inn and Independence Hall.

At the request of Mr. Alario the Flory motion was withdrawn until specific prices are submitted in writing to the committee.

The committee then scheduled a meeting for 10:00 A.M., Tuesday, March 27, 1973 to be held in the Speaker's Office at which time a final recommendation to the full Executive Committee will be drawn.

At the suggestion of the Chairman the meeting adjourned at 7:20 P.M.

*Ruth Miller*  
Ruth Miller, Chairman

#### NOTES

Attachments to Minutes of March 22 are all found in report to full committee of March 27, 1973.

# C. Composite Committee

## NOTES

The Composite Committee was created under the authority of Delegate Resolution No. 15, Volume IV, above. It conducted general public hearings in seven different cities from April 17 to April 25, 1973. The public input developed in those hearings passed to the substantive committees of the Convention through representatives of each of those committees who served on the Composite Committee in each city. Only the Minutes of the Meeting of April 17 were transcribed.

### Composite Committee

Judge James L. Dennis-Chairman	
Representative Alphonse Jackson, Jr.	Bill of Rights and Elections
Tom Staggs	Executive Department
Senator Cecil R. Blair	Legislative Powers and Functions
Judge James L. Dennis	Judiciary
Chalin O. Perez	Local and Parochial Government
Senator B. B. Rayburn	Revenue, Finance and Taxation
Robert H. Aertker	Education and Welfare
Senator Louis F. Lambert, Jr.	Natural Resources and Environment
Rev. James L. Stovall	Rules, Credentials, Ethics and Schedules
Honorable Albert Tate, Jr.	Style and Drafting
Representative Edward F. LeBreton, Jr.	Legislative Liaison and Transitional
Patrick A. Juneau	Public Information

DISCUSSION DRAFT  
3-2-73

### COMPOSITE COMMITTEE TOUR

#### Purpose of the Composite Meetings:

1. Listen to public
2. Build understanding of convention

#### I. Arrangements

##### Tentative Dates and Location

Baton Rouge, April 17
New Orleans, April 18
Lake Charles, April 23
Lafayette, April 24
Alexandria, April 25
Monroe, April 26
Shreveport, April 27

Are these dates firm so that contacts for specific locations may be made?

This is a physically exhausting schedule almost guaranteed to produce temper tantrums before the end of the week. To minimize the strain and also to obtain maximum exposure and testimony, staff suggests:

1. That the hours be 2:00-5:00 and 7:00-9:00. Afternoon sessions would be to hear invited witnesses, and evening sessions open for general testimony. Both sessions open to public.

That arrangements be made to transcribe the minutes of the next session.

the next session.

3. Attempts be made to obtain invited witnesses for the coffee parties and for lunch.

#### Personnel

The assumption is that the staff will be able to handle the tour on this tour. This would be the case if the staff is able to handle Henry, Dennis Jackson, plus the staff of the committee. From the other ten committees, as well as the staff of the committee, Pellegrin, Kardin, Hunter, Ode, Burris, etc., would be necessary.

To coordinate plans, staff will need to be able to handle the tour who will be on the tour at any point one week before the start.

#### Format

Staff suggests that each meeting be opened as soon after 2:00 p.m. as possible by a local committeeman who would welcome, make introductions and state the purpose of the composite meeting. We further recommend that Henry or Ruth Miller serve as Chairman for the balance of the day.

A policy decision is to be made on the meeting format - Structured or Unstructured?

#### Alternative A: Unstructured

The meeting will be open and any person would be free to speak on any subject for any length of time. If this method

is chosen, the staff will be necessary to introduce the order of speaking. The staff will be the chairman. The amount of speaking that the public has complete freedom to speak. The staff will be necessary to introduce the order of speaking. The amount of speaking that the public has complete freedom to speak. The staff will be necessary to introduce the order of speaking. The amount of speaking that the public has complete freedom to speak.

#### Alternative B: Structured

A time limit of 10 minutes for each speaker. The staff will be necessary to introduce the order of speaking. The amount of speaking that the public has complete freedom to speak. The staff will be necessary to introduce the order of speaking. The amount of speaking that the public has complete freedom to speak.

#### Advantages

This method is a more organized and controlled. The public could hear the speaker for that period. The public could hear the speaker for that period. The public could hear the speaker for that period. The public could hear the speaker for that period.

Alternative C: Some combination of the above or a totally different thought.

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Feasibility of limit the question, but it is considered:

1. Time limit on speaker-
2. Registration at meetings-
3. Will written testimony be accepted?
4. Will the committee invite specific individuals and/or groups to testify to assure an audience.

#### Time Schedule

- By March 1, locations in various cities secured.  
By March 9, policy decisions in format.  
By March 9, meeting of Juneau with state groups and/or letters to state groups.  
By April 6, mail press releases and public service announcements on the Baton Rouge and New Orleans meetings including format, participants, etc.  
By April 10, complete plans for personnel going on tour, lodging arrangements and transportation logistics.

By April 13, same type mailing for balance of meetings

#### Physical Arrangements for Tour

Firm plans will need to be developed to cope with these

matters:

#### Travel

Understanding on group or individual travel. If group, determine date, time and place together for each departure.

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If both airplane and airplane used, arrangements for individuals to travel in each. If planes are used, arrangements will be needed for ground transportation.

#### Lodging

Block reservation of rooms. Advise participants of hotels to be used in each city. Each person is to be responsible for his own bill.

#### Physical Arrangements at Meetings

- long table for 12-15 people
- podium at head table with microphone
- ice water, glasses and ashtrays for head table
- Nameplates for Convention Committee on table
- small table and chair for staff secretary
- floor microphone
- chairs for 100-150 people (maximum)

Other possibilities:

- registration desk and materials (someone will have to man if this is used).
- coffee.

We need to know at each location, the name of the person in charge of the meeting room, who to see when the microphone does not work, the room is too hot or too cold or whatever.

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#### II. Public Information

The question is how much money should be invested in anticipation of what returns?

Staff suggests that we try an approach through statewide organizations to determine if they in turn will disseminate information on regional meetings to their respective local counterparts. This will require the maximum pre-planning as one must allow at least a month and preferably six weeks for the information to filter to the local level and reach pertinent individuals, but if successful we would get the maximum coverage for the minimum expenditure of funds. Staff has prepared a list of approximately seventy statewide groups whose help will be sought. Names of additional groups and/or individuals are requested from all interested parties. (See attached sheet.)

Since the main purpose of the Committee's travels around the state will be to make the people aware of the Convention, and some of its workings, the maximum amount of exposure should be sought in each of the states. In order to do this, an advance man should be assigned to travel ahead of the committee. This advance man would take with him one or more members of the Composite Committee who will give interviews to the local media, and generally prepare the way for the rest of the committee. As much as possible a local committee member should be used since this will increase the exposure given to the committee by the local press. Under present plans the advance man will work only the week of the 23rd since the press in Baton Rouge and New Orleans will probably give the committee sufficient exposure.

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The following is a tentative plan for the traveling of the advance man:

April 22	Lake Charles	Ruth Miller
April 24	Lafayette	Pat Juneau
April 24	Alexandria	Chris Foy
April 25	Monroe	Jim Dennis
April 26	Shreveport	Alphonse Jackson
		Tom Staggs

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#### III. Budget

Per diem for thirteen delegates at \$50.00 per day for seven days.	\$5,250.00
Food and lodging for four staff at \$27.00 per day for seven days.	644.00
Travel	
Printing and reproduction	
Supplies (stationery, nameplates, other materials)	
Postage	
Clerical help	
Long Distance Telephone Calls	
Miscellaneous	
Total	

7. Travel.

Arrangements will be made for core group.

COMPOSITE COMMITTEE TOUR

Purpose of the Composite Meetings.

1. Listen to public
2. Build understanding of Convention

1. Dates and Locations.

April 17	Baton Rouge	Natural Resources Auditorium
April 18	New Orleans	City Council Chambers
April 19	New Orleans	New Orleans Public Library
April 23	Lake Charles	Baker Auditorium - McNeese
April 24	Lafayette	USL Student Union Ballroom
April 25	Alexandria	City Hall
April 26	Monroe	Civic Center
April 27	Shreveport	Convention Hall Complex

2. Time of meetings.

All meetings will be from 2 - 5p.m. and 7 - 9p.m. except

April 19 which will be from 9 - 12 noon.

3. Format.

A local delegate will welcome and introduce convention delegates. Chairman Henry or Vice-Chairman Miller will preside at all meetings, announcing time limitation, provisions for those who did not originally expect to speak and any other necessary

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ground rules. Registration will include topic of interest. Decisions will be made on time allocations and sequence at that time, grouping in so far as possible but emphasizing that the public will be heard. Written testimony will be encouraged with some re-format for the media and oral presentation.

4. Advance Preparation for Public Input.

Meeting with representatives of state organizations on March 16, 1973. Follow up letter from Dennis. Some 70 groups are involved thus far, many of these centers for the other groups. Will work with members of Public Information Committee and additionally with local organizations in getting people to testify. Public service announcements cut, news releases to be prepared.

5. Media.

Week of 23rd., Public Information Officer will travel as advance man working with local delegates, serving on Public Information Committee. Interviews with Convention V.I.P.s to be scheduled. Press and T.V. coverage of public meetings.

6. Tour Personnel.

Convention delegates plus staff. Pellegrin will be one day ahead of the week tour. Staff: Hardin, Barrios, Hunter, secretary, Pugler?

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8. Lodging.

Minimum of 15, maximum of 20 rooms to be reserved with late arrival stipulation. Individual bill payment.

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9. Arrangements

Responsibility

Names of convention delegates who will be present at each location.	Dennis, Juneau
Information to delegates on their role, travel, lodging arrangements, etc.	Pellegrin
Select and secure local delegate to work with advance man.	Juneau, (Pellegrin)
Select person at each location who will brief presiding officer on local conditions, personalities.	Hardin
Select and invite local delegate to open meeting.	Juneau, Dennis, (Pellegrin)
Luncheon and/or coffee parties at various locations, local mayors to be contacted.	Dennis/Juneau, (Pellegrin)
Travel arrangements for core group.	Hardin
Security.	Barrios
Media Arrangements - advance; at meetings.	Pellegrin, Juneau <sup>2</sup> Hardin/Hunter <sup>2</sup>
Registration (League of Women Voters)	Hunter

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10. Checklist for Meetings.

- registration desks
- registration forms
- pencils
- coffee - except at McNeese
- press table
- system
- long table for 12-15 people
- podium at head table
- ice water, glasses and ashtrays for head table
- Nameplate for Convention Committee on table
- small table and chair for staff secretary
- tape recorder and tapes
- chairs for 100-150 people (maximum)





thing, perhaps even more important than the budget review in having to do with the judicious use of money in higher education in our state, is the fact that we have given the power to this Board of Regents not only that coordinating power, but also the power to pass on new programs, new degree programs, certain new institutions, but also the power to review what has been going on and to, if you will, roll back the clock and recommend to the Legislature that certain courses of study, certain curriculum, must be either curtailed or abolished. This power we think is absolutely essential because what are we talking about? We're talking about the elimination of duplication as a result of adequate planning and coordination, so we thought that this went hand and glove with it, and was necessary part of it. And, and is one of the stronger points of our plan. And we submit that with these powers, this Board of Regents can, in fact, lead us to quality programs it can determine, and remove unnecessary duplications which is where most of

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our money, in our opinion, is being wasted. And we're not saying to you, that everything of excellence is at LSU. In all of its facets it is the state university, and in many areas it is exclusive because of our lack of funds, the fact that the most expensive education is available here we have. Obviously we can't afford but one medical school. The fact that it happens to be in two places our legislature has decided over a period of years to keep one at each of our medical schools, one now located in Shreveport, but still under the ambit of the LSU system. But this is evidence of course, I think is the most obvious example of the best use of the educational dollar in medicine, but that's not to say that there may not be some areas within the school of medicine that this board would say we can't afford that -- or you should do this. -- Also this is not to say to be in Louisiana Tech, or what have you that your college of civil engineering this state of Louisiana can afford but one college of civil but two -- well say -- college of civil engineering maybe one, but I think I can turn to the engineers, so obviously I don't know much about mechanical undertakings. I think probably we turn out enough so that we would say too there's nothing in our plan that says the first option must go to the state university. It is intentionally not there -- by its performance each institution must show to the people that make the recommendations as to money, and who coordinate and plan -- that they are accomplishing the mission and can make the most judicious use of the state's taxpayer dollar in higher education. We don't want to be unkind, but I think I can turn to the fact, that LSU is a state university and its appearance before the education subcommittee. Approximately two weeks ago they made this statement and I quote, "LSU by its very nature is designated as one of the institutions of higher education. It is the state university. It is not designed to be a model for other institutions to emulate. If it is to be different, then it should be different. The fact of course we did retain the governing board which I'll get to in a minute, in the LSU system. If you're familiar with our plan we also came up with a board for the other state colleges and universities, and divorced that board from any undertakings and management and governance of secondary and primary education. Now, I have talked about a coordinating and planning board, and I don't like to be negative, but the obvious choices that we have, though we have as Mr. Cannon referred earlier in conversation before we commenced, there will be many choices for the Committee on Education and the Board, but of the educational phase it will be. And there are among the plans certain variations on each side, if you will, but basically were talking about whether the one board will be a coordinating board or whether there will be a governing and a coordinating board, one board that does everything with no other governing boards. And that's of course, the decision that's going to have to be made by the Legislature. Basically, our board is about the same trends and higher education in other states, and I can tell you that the trend over the last twenty years has been toward coordinating boards, that is, nongoverning boards as opposed to governing boards. Except in the state where they have the most simplistic, where they have one or two public institutions. Then you don't have the big problem of coordination. The problem that we have found in our studies and that other states have found in coming up with governing boards was, that they spent all of their time governing, and with day-to-day administrative problems, if you will, putting out the white fires, whether it be campus disturbances, hiring a football coach, dormitory regulations, the kind of things that "drive board members up the wall," but never the less, have to be taken care of by policy-making boards. That these governing boards spent all their time governing and none of that time planning and coordinating. And since it's our conclusion that that's where we're wasting our dollar, is on the lack of the

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through study, we studied as best we could all the other states, we brought in people from other states, not all of them, but we read as much as we could about the other states, and studied as many states as we could as we could about the trends and higher education in other states, and I can tell you that the trend over the last twenty years has been toward coordinating boards, that is, nongoverning boards as opposed to governing boards. Except in the state where they have the most simplistic, where they have one or two public institutions. Then you don't have the big problem of coordination. The problem that we have found in our studies and that other states have found in coming up with governing boards was, that they spent all of their time governing, and with day-to-day administrative problems, if you will, putting out the white fires, whether it be campus disturbances, hiring a football coach, dormitory regulations, the kind of things that "drive board members up the wall," but never the less, have to be taken care of by policy-making boards. That these governing boards spent all their time governing and none of that time planning and coordinating. And since it's our conclusion that that's where we're wasting our dollar, is on the lack of the

sin of omission again, the lack of coordination, the lack of planning, we can't see how a governing board is the answer to anything. Another problem, in our opinion, with the governing board, is the simple fact that this operates as a political power base, particularly a governing board that goes from the cradle to the grave, if you will. Be it elective or appointive, not only will that governing board have jurisdiction over budgets and curricula, it would also have the jurisdiction, virtual veto power over every hiring and firing at every institution in the state of Louisiana. How it would encroach upon local school systems, I don't know, I'm not a school official, but I think in the plans submitted that encompass this to make an intelligent comment as to that. We submit that all of this power in one place has no place particularly in education, or put the other way around, that if a board is going to serve as a political power base of all places you don't want it, possibly civil service may fit the same category, but of all places you don't want it in an education or an educational institution. But the practical reason, leaving out the politics, is that there isn't enough time. If you look at the minutes of the State Board of Education and if they come across your desk you have to be quite diligent to read them. I happen to get them. I also get the LSU board minutes. I have one of the LSU board minutes, but you've all seen them. They are approximately this thick, this is an LSU board one, but I want to say, to you, I have seen them from the State Board of Education's monthly meetings any thinner than this, and these are all policy matters. Another reason that we have come up with two boards for our higher educational institutions in the state, one we call the Board of Trustees, the other we call the Board of Supervisors of LSU, is that our studies have revealed that no board can undertake a dozen and a half institutions in the governing and planning and management and coordination, cannot manage that many boards and do it efficiently. The studies have shown us that from eight to ten

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institutions, possibly up to twelve under one governing board, beyond the twelve, you lose an officer, and there is as much work to be done nothing gets done, and I'm talking only about governance and I'm not talking about coordination. We say that if it's a board it can't coordinate because it just doesn't have the time. And I think we can look at our two boards now. True our State Board of Education has other duties than higher education but most of its time, I think everyone would admit, is spent in the governance of higher education. It can't have the time to do any coordination and planning. The LSU Board doesn't spend sufficient time in coordination and planning, and I won't get into which one does the better job, because that's not our purpose here today. We submit to you, that a coordinating and planning board that doesn't have to govern, and fool with the white fires, and pick up the telephones and listen to Aunt Suzie back home who's worried about her son who can't live in an option 4, because her son now wants to go to the state university. I happen to have a son who is a freshman in college, so I think I can speak with some authority, and most of you have traveled the road. That would be divorce from planning and coordinating both. We're not saying to you we're going to take it completely out of politics, I don't see anything wrong -- politics to me means people. But as far as power politics, yes, we think that this would do it the better way. I made a reference here why I thought the governing board was not a good idea and why the committee thought.

I'd like to read you just a short excerpt from the Crowley Daily Sentinel, not a Baton Rouge paper, March 31, of 1973, Common Sense on Education in Louisiana, the editorial and I quote -- "At first look, a single board can sound appealing, looks neat, it seems to have an air of no nonsense, no duplication of functions, no overlapping bodies. A second look, however, makes the single board, the superboard, look both dangerous and impractical. The dangerous look is that the single board proposal is to all encompassing in too much power of decision and too few hands. dangerous also that it invites political maneuvering--something Louisiana education cannot stand if this state is to reach the goals it has set for itself. The practical part of the superboard is that it calls for this one body of elected persons to do long-range planning as well as to coordinate and govern and manage eleven institutions of higher education, plus all of the vocational-technical schools, plus all of the elementary and secondary schools on a day-to-day basis. Common horse sense says this is an impossible test for one board."

Our study here has many excerpts to substantiate our position and I could quote others.

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I won't at this point, I will submit to you this statement and I will submit to you the questions for which you've been kind enough not to ask me during my presentation.

Tom Staggs introduces E.L. "Bubba" Henry, Speaker of the House of Representatives.

Bubba Henry takes chair.

Also Senator Cecil Blair, chairman of the Legislative Committee of the convention.

Mr. Odum: Mr. Chairman, may I introduce two other people that I mentioned would be here and are now here. I'd like to present, though not introduce to this group, Dr. Martin D. Woodin, the president of the LSU system and Chancellor Cecil G. Taylor, the chancellor of the LSU Baton Rouge campus.

Mr. Henry: I was hoping someone did want to speak to the committee this afternoon. It is my understanding we have you on the list here. Am I correct in that understanding?

Mr. Odum: Not to my knowledge, Mr. Henry, but I'll find out.

Judge Dennis: Sorry I gave the chairman that information, I thought you had a speaker with you at 2:30.

Mr. Odum: No, I had wanted to make the presentation at 2:30 to have these gentlemen present. Judge, and I understand that misunderstanding and I think it is a completely logical conclusion that we have an alumnus who is not an educator make a presentation, when we have the president of the university and the chancellor here, certainly they are far more knowledgeable in the overall area and I will call them in, should I get into hot water. But I understand the reason for your assumption.

Mr. Jackson: Why is it that, or are you recommending, that there be a governance board for each unit of higher education?

Mr. Odum: No, Mr. Jackson. If you mean by each unit, each institution.

Mr. Jackson: Yes.

Mr. Odum: No Sir.

Mr. Jackson: Well, isn't that contrary to your opening rationale?

Mr. Odum: No, I don't think so. Our position is that you

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can have, with a degree of efficiency, that you can have eight to ten institutions under one governing board. It just depends on how you count, as you well know, in round figures, we have a dozen and a half in the state.

Mr. Jackson: That's not what I'm talking about, Mr. Odum. You started off by saying that governance was an individual function, that it had to deal with your unenlargement upon your statement. Governance deals with the internal operation of the university, therefore, it was necessary to individualize the function -- that was a part of your opening statement. I'm wondering if that is true, then why is it that you will not have a separate governance structure for all of the other universities.

Mr. Odum: I did not mean to convey to this committee that it is our position that each institution should have a governing board, nor did I mean to convey to this committee that governance is a function of each institution or an institution by institution basis. What I meant to say, and what I intended to convey was that governance is a function designed to meet the needs of the institution itself. As opposed to looking at the, in other words, the trees as opposed to the forest, that the coordinating board and planning board can look at the overall needs of higher education. The governing is putting into practice, once mission is established, and so forth, and curricula determined, the day-to-day running of that institution. Certainly day-to-day running of institutions, for instance, the LSU Baton Rouge campus, is in the hands of Cecil G. Taylor, who is called by a fancy name -- called the chancellor. The Baton Rouge campus of Southern is admittedly a little bit nebulous, as well as Dr. Netterville is, and we have somewhat the same problem because the president of the LSU system is also situated on the Baton Rouge campus. But that as it may, the day-to-day operation absent policy is charged by its Board of Directors, called at LSU, Board of Supervisors, called in the other state universities and colleges the State Board of Education, they set the policy. The administrative carry it out on a day-to-day basis, but I didn't mean by saying governance, that it is a matter of running the institutions. I didn't mean to convey that each one had to have his separate boards.

Mr. Jackson: Let me add to it. What is the opposition of both the coordinating and planning board?

Mr. Odum: I can show you better than -- well, I can tell you while I am attempting to find my things to show you. Our Board of Regents has 14 people with seven-year terms, and there can be no -- I have this little diagram I think it easier, the picture tells a few more words. Let me have that passed to you.

Mr. Jackson: How are these people elected?

Mr. Odum: They're appointed by the governor with the advice and consent of the Senate. And there must be at least one from each congressional district -- no more than three. If you recall two years ago, we attempted to revise the make-up of the LSU Board of Supervisors by a constitutional amendment which followed virtually the same pattern, that we could not have any congressional districts not represented, we did not pass this amendment. This amendment, with the blessing of virtually everyone, is now in our plans, but this Board of Regents follows the same pattern, the geographic distribution appointment by the governor.

Mr. Jackson: What is the function of the Board of Trustees?

Mr. Odum: The Board of Trustees would have the same functions, Mr. Jackson, that the State Board of Education now has, but limited to higher education and vocational-technical education at the post-secondary level, until such time as the legislature would establish a separate vo-tech board, if it decides to do so.

Mr. Jackson: Then the Board of Education would only deal with elementary and secondary education.

Mr. Odum: That is correct. And vo-tech in the other twelve categories. Correct.

Mr. Staggs: Does your group expect that the Board of Regents, as you describe it, will range to higher education or some equalization of expenditures and state funds from allocation, perhaps on a per student basis as between, or among various units of the LSU system and various units now under the Board of Education?

Mr. Odum: I'll answer your question this way Mr. Staggs. The language is there so that it may -- it is not designed to do either. Our feeling is, and let's take, I'm a layman and I sense that in the educational sense, perhaps you are too, so the liberal arts education -- none of us in this room would advocate that there can only be one liberal arts curriculum in the state of Louisiana. There are too many people to be served in this area, so I would say my personal view of it is, speaking only for myself, is that in an area that is so expensive that you can only have quality in a limited area, that is, not in all institutions, it is the job of this board to pick that place or those places if they be left at all.

Mr. Staggs: If there is one degree program for Ph.D.'s in Nuclear Physics and then you can only afford one with all the equipment it takes to put it on, then this board would

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say where it went.

Mr. Odum: Yes sir, they would.

Mr. Staggs: Are you talking about the Board of Regents?

Mr. Odum: I am talking about the Board of Regents, which is a planning board.

Mr. Staggs: In your statement and in that of your group, it is your belief that the coordination of the overall education system should be divorced from the daily and the weekly nipping of the details of managing these various institutions and their basic policies toward their students.

Mr. Odum: We feel that it is absolutely essential, Mr. Staggs. That you cannot govern and plan at the same time -- that one thing necessarily must give, and the white fire is tended to, and the planning and the coordination goes unattended, and we submit to you that's why we can't go with a governing board. It must be a coordinating board.

: And that one that was elected or erected by the legislature could go into effect in 1974 will, for that reason, never reach full success?

Mr. Odum: Well, we submit that though good in principle to show that there must be a move toward coordination, that is an abominable mess, that's about the nicest way I could put it, but even the people, without citation of name, but even those who were close to the situation, will admit that. It was a snowman built in the dark. Yes, but the problem is going to be presented, I might say, at this session of the legislature because of the fact that this Act 712, the superboard bill, does go into effect on January 1 of 1974, and this constitution will have not been approved or disapproved by the voters prior to that time. Now, they have two chaotic changes, and I think the people -- well obviously everybody has come to the point where they agree with that -- but most people at this point do agree to have two chaotic changes, no matter what the eventual change may be would be ridiculous, and so we're all seeking support but not standing alone, for the first moment, the people have spoken as to this document which will be produced by the convention.

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Mr. LeBreton: These papers you gave us - I don't see where it tells me whether the Board of Regents, the Board of Supervisors, the Board of Trustees are overlapping, or simultaneous.

Mr. Odum: Well, perhaps this does not Mr. LeBreton, but they -- do you mean overlapping as to function?

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Mr. LeBreton: Does the governor come into office and appoint all 42 people at one time?

Mr. Odum: No Sir. The people who are on -- let's take the LSU Board because I guess it's the simplest example at this point -- the LSU board members who are there, and our interpretation as we have had it interpreted to us, the act calling the convention states that we cannot legislate anyone out of office. Those people in office would continue in office and the governor would replace them as their terms expire.

Mr. LeBreton: Is this true with other boards?

Mr. Odum: Yes, but it's a little trickier when we get to the Board of Trustees. Since of course, we do have our present State Board of Education in two areas, in one board now but with two areas of concern, here called, by our name, the Board of Trustees, of state colleges and universities, and called on the other hand primary and secondary education, they, according to our provisions, get their choice -- the elected members of the state board, as to whether they want to go on one or the other. That's the only way we knew to finesse it to keep from legislating them out of office. Addressing them out of office.

Mr. LeBreton: Do you think that this is going to give the governor of the State of Louisiana more power, appointing 42 people to higher education?

Mr. Odum: Our studies have shown, Mr. LeBreton, that in the balancing process between now and when we get to higher education we are advocating an elected board for the primary and secondary, called by the new name, the old name retained -- State Board of Education, but the other boards -- all three -- would be appointed.

Mr. LeBreton: The thought just occurred to me that one of the things some people go by in this constitution would be to relieve the governor of some of it. I was just wondering if this wouldn't give him more power?

Mr. Odum: Well, yes, in a sense, it gives a gubernatorial subject to the confirmation by the Senate it does give the gubernatorial authority to appoint, for a number of years -- for about three sets of seven, -- no governor would be able to appoint a majority, since we know with the advent of the two-term, Governor John McKeithen was able to appoint the vast majority of the LSU Board of Supervisors, who now serve in the administration, of course, of another governor, and yet there will be another governor. That's a provision of our law because of the present length of their terms. But the alternative to that is an elected board, particularly an elected board,

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to serve all of education. We submit that (A) these people sure, they would have to answer to the electorate, but you would have so much tremendous power in a few hands that as an alternative to the appointment by the governor stands pale, and the studies in the other states have shown that the appointive boards are the ones that have gotten the job done. I'm not wedded to the proposition that he who runs for office, since my father was a public official for thirty years, is anything more than the most honorable undertaking. On the other hand, when it comes to higher education, the sophistications of the management, planning, and coordination of higher education, I wouldn't be competent to be on that board. There may be some in this room who would be, but I certainly wouldn't want to not advocate that the people, people, people, as they are, but on a payroll of a state university, that they be on there as representatives -- there certainly can be no objectivity or we couldn't -- expect that kind of objectivity from any man, but the kind of people that we would hope would have the respect of the legislature and be, so to speak, above it all and we don't think that's naive, that we have to set the pattern for those people to be appointed, because they won't go out and seek the election, and we think that this is a sophisticated business when we get to higher education. Keep saying higher education, I realize the educators say post-secondary, but I'm not that sophisticated, so I mean beyond high school, but I'm not limiting it to colleges, I mean vo-tech also, -- very important.

Mr. LeBreton: Would there be any -- allowing the Board of Education appointees to the Board of Regents or the Board of Trustees?

Mr. Odum: The Board of Education charge, Mr. LeBreton, the way we have set it up, and their principal area of interest, in our plan, is in primary and secondary education. So if there's to be another appointive authority, I would not think that those people elected to do that job. No Sir.

Mr. LeBreton: Can't you find anybody besides the government to do it?

Mr. Odum: Well, I think that anytime you want to increase the advice and consent majority, if that be constitutional, and I assume that it would be, it would be constitutional not by legislative act but if put in this document, I see nothing whatsoever wrong with that. We don't want people that are not qualified, because you know we can put all these words down here and it won't do much good if we have weak people on these boards. How I don't advocate that we not put it in the constitution, because I am a firm believer in a government of laws, rather than of men, and it would

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be fine and we could pick Judge Dennis or Eddie LeBreton or anybody else, and as to him and the people that know him, he is a benevolent leader, we know him -- you're to be the king -- the czar, and we don't have to go through all this business, I'm not trying to be facetious with you Mr. LeBreton at all, but we can pick the one or two, as long as they're benevolent we don't have any problem, but we submit to you that history in Louisiana has proved that (A) it must be written, and (B) that we will have better success with an appointee than elective board at the higher education level.

Mr. LeBreton: Thank you.

Mr. Odum: Yes Sir.

Miss Wisham:

Mr. Odum: Miss Wisham, we do provide, if you'll look at the last, if yours is laid out like mine, if you'll look at the little chart we gave you on the last sheet, so that you can keep me honest, to make sure that I know whereof I speak. The last is the enumeration from whence they come, and the number. In the Board of Regents we must have at least one from each congressional district, yet no more than three. There was a time when the LSU board had too many people from Baton Rouge on its board, frankly, and that's the reason we have it in here. We think it should also be carried over to the Board of Regents. If you will notice on the Board of Trustees, it says at least one, not more than two, and the simple reason is that we don't want any institution -- because they are geographically -- and obviously should be -- spread throughout the state, we don't want any institution to have a large plurality or majority on there. On the Board of Trustees and that's the reason for the difference.

Rev. Stovall: What is different and distinctive about LSU that makes you feel that you should be in a different type of administration at LSU than there would be at other educational institutions in higher education?

Mr. Odum: A couple of things. The first, the fact that historically we have had it that way and I don't believe, as I said at the outset, in throwing out the baby with the bath water. The board that we have that now governs the state university -- I think its terms are too long, we've proposed chopping those terms in half. I think its distribution should be different, but basically that board, for continuity sake and for the experience in

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governance, in those institutions under that system called by name, LSU, they had experience in that and rather than start anew, we think it best to continue that. But more important than that, I think that in a poor state, and we are rich in talents, we are rich, well, everyone thinks he is richer in talents than anyone else, we are certainly richer in natural resources than most, but somehow or another we don't seem to be compared to many of the others. Now we compare, well, with Mississippi and Alabama, but compared to the rest of the nation we're not very rich in the resources that we put to higher education. We spend a lot of money out of our pocket, but basically compared to the rest, we are a poor state. And our position is simply that if there's to be quality and if the average man is able to send his child to a quality institution, publicly-supported, that he can afford, assuming that he can't afford the Tulane or other privately-endowed institutions' tuition fees, assuming he can't afford to send his child to a quality institution, he can't afford to send his child somewhere in the state, it may not be the best in the United States but it

will be at least a quality undertaking in that particular field of endeavor. And we feel that by the nature of the definition of a mission of the university, that we necessarily have to be the state university's mission. That is not to say that Louisiana Tech, for instance, would not have, it could be Northeast but I pick Tech because in the sciences they have been through the LSU very strong. Suppose the nuclear science example that Mr. Stagg brought up earlier, suppose there's to be one doctor of philosophy degree in nuclear science, that there are no powers granted to an expensive undertaking. It could well be that that should be at Louisiana Tech and not at LSU. You will not find any language in here that says that LSU, as PAR said, that LSU is a capstone institution. It's not in our language. It doesn't say the Louisiana State University shall remain the state university, it doesn't say that. The names not changed, but beyond that, there are no powers granted no preemption, no step ahead of anyone else. It must prove by the accomplishment of its mission once defined, and or recognized, by this Board of Regents that it can do the job in a particular area or it won't be funded. But we submit that if it's only to be in one area, that logically by definition, that should be the state university, the state university historical has served those needs from agriculture through medicine. It's just a practical reason, it's not the defense of the LSU ring. If we wanted to do that we wouldn't want anybody above the LSU system, you see.

: LSU is different you say, in two ways, historically and quality education?

Mr. Odum: Preferably in quality education, historically, certainly yes it is.

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: Mr. Huntington, Mr. Odum, you say we have the natural resources in Louisiana, and then secondly, you say we are the poorest state. We've operated under the LSU Board of Supervisors. If we're going to have quality education, shouldn't there be some balance between our great natural resources and our being a poor state? In other words if we have this right kind of education, wouldn't there be a leveling so that if this system is done, you know, has it produced?

Mr. Odum: Well, I would say, based upon the dollar spent within the LSU system, since your question is directly to that, the result has been as good as the dollar spent on it. Course, because of my area of interest, you know, this constitutional convention is an interesting undertaking in human nature because everybody says, I want a short concise constitution except when the needs of the state, my area of primary interest, and I don't work for the university incidentally, but in my area of primary interest, and the reason for my appearance here today, it seems to me that we have wasted too much money, we have spread it around too thinly but I agree that a better job could have been done, but I'm not saying at Northeast, where they have a good school of pharmacy, in many other good things, I happen to know that because I have some relatives there, not working for the university. But in those areas that the money has been spent I think it has been well used, yes, but I think (A) we should spend more money on higher education and (B) we need a board that will coordinate and say no sometimes, and we're saying that this board will have the constitutional basis to say "no you can't do it." And you legislators, those of you who are, of course in most of these areas can't override because you hold the purse string as you should. But you at least will have the expert advice, on where the needs must be served and we're only saying those areas that, sure in the areas that I cited to Mr. Stagg earlier where basically every institution of higher learning in the state, whether it be liberal arts, most of them a college of commerce, we used to call business administration, I guess the most sophisticated name now. Sure, those areas I can't see any reason for differentiation, but in the areas where cost dictates that there be only one or two, then of course, we're not talking about equality, we're talking simply about equality -- equality among the needs. We're talking about quality of education and the hope that this citizen can have the right to go some place in the state to get it, basically at the public's expense.

: Why is the LSU system afraid of some unified approach to education in the State of Louisiana?

Mr. Odum: I think sir, that you will find that we're not.

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Except that we think it is a bad idea. Not because it's bad for LSU, it's bad for the State of Louisiana. I think you will find a lot of people who advocate the superboard, the governing board, and talk to some of these members of the State Board of Education, I'm not saying they feel that way unanimously, they would want the statement put in the constitution that Louisiana State University be the capstone institution and shall remain a state institution in all of its elements, from Shreveport to New Orleans. We don't advocate that, but you'll find people that want

one governing board -- We just honestly feel that a governing board (A) it can't govern that many institutions, all of them, (B) it can't do it, and a half and (B) if it could, it sure doesn't have any time left over to plan and to coordinate and that's where we waste our money.

: If you have one supervisory board for the state, then you have competent administrators and executives to run the individual institutions. Is it necessary to have that intermediate advisory board in there?

Mr. Odum: Yes sir. For the reason that the governance--back to the same problem--if we give that board up at the top two charges, the coordination and planning, let's call that one, and number two, the governance, when Aunt Suzie calls up to the policy-making boards, the governance has to be tended to.

: She would not call the board though she would call the Dean of Men at LSU, Aunt Suzie would not call the board.

Mr. Odum: I respectfully dissent from that sir, you talk to any member of the State Board of Education, or the LSU board, and citizens feel free to call upon their representatives, appointed or elected, when it comes to policy matters and to an individual citizen, to me, if my boy has gotten a parking ticket I think he's not entitled to, that's a policy matter. I know it's absurd but that's the experience.

: That was precisely my point earlier, Mr. Odum. You see, a few minutes ago, when I put that question, you said that was not going to be the function of the governing board.

Mr. Odum: No, I didn't say that Mr. Guss.

: Yes you did.

Mr. Jackson: (1) The point that I was making about the additional rationale that you set forth about the need for a governing board to be concerned with intern administration

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of each unit is the point that I was trying to make.

(2) Who's going to plan for elementary and secondary schools. I noted that in your proposal you did not charge the Board of Regents with that responsibility.

Mr. Odum: The State Board of Education would do the planning. It is not the constitutional mandate--this is a Board of Regents for higher education Mr. Jackson--and in the areas where there is overlapping in vo-tech, and the areas in curriculum leading to college training, it would be the mandate that it submit to the Board of Regents.

Mr. Jackson: But you just said, Mr. Odum, that the board of governance cannot plan, cannot be governed at the same time, that's what you just said.

Mr. Odum: We said at the higher education level, Mr. Jackson, that's where our study is, and in the area where it overlaps higher education they are submitted to the Board of Regents. We profess some expertise in higher education; we profess very little expertise though some knowledge in elementary and secondary education.

Mr. Jackson: I think you'll find the state board with the same sort of inability.

Mr. Cannon: Yes, Mr. Odum, the question I was concerning the Board of Regents and their planning and coordination of all post-secondary education has concerned me somewhat. Would not local school boards be more on-the-scene and better able to analyze what job markets there are locally and what jobs might be available in the future, rather than a state board of 14 people? What did your research show in that area?

Mr. Odum: Are you talking about the area of vo-tech principally?

Mr. Cannon: I'm talking about general areas. I can almost see something whenever you start talking into associative arts to your terminal degrees but particular training of people who just wish to learn skills so that they can get a job. This is separating the professional from the vocational training.

Mr. Odum: Right, but I'm not sure I understand your question.

Mr. Cannon: Did your research show anything in these areas as to why the Board of Regents, a state-wide planning and coordinating agency, would be better than a local school board who would be closer on the scene to local vocational job markets?

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Mr. Odum: The question is, of course, basically, where the responsibility of the elected local school boards, who are certainly (A) more responsive to the people, and (B) know the local situation, better than any state-wide board can know on a parish by parish basis, but the question is where the authority stops on the parish school board, and where we get into post-secondary education is, as you educators say, and I'm learning to say, the post high school area, basically our studies show that in the post high school area, you were better disposed to have a state board with an overall purview as to what's happening state-wide, because that's when you have the feed-in whether it's vo-tech, colleges, universities, or what, and not the delineation and the education within the parish limits--and those were the cited reasons that the state-wide board was found better than the local county--they called, of course, undertakings. Our feeling is that rather than the 13th--14th grade undertakings, that that is better handled and as post-secondary education and the purview from the state level.

Recessed until 3:15 p.m.

Mr. Henry: Members of the committee and members of the audience. The reason that Senator Rayburn and Senator Blair and Representative Wall and I were late is because Senator Rayburn had a meeting on the budget, and we were trying to find out what our problems were, I'm sure, so sure we found out, we know what the problems were, but we don't know what the solutions were, but that is the reason we were late and we apologize to you for that.

Chairman: We'll ask each of you to speak--to talk as long as you want, but as briefly as possible please, and I'm not trying to put you under the gun.

Ms. Chandler: No doubt believe how brief a woman can be. My name is Jane Chandler and I represent the National Organization for Women, the Baton Rouge Chapter, which is composed of about 100 men and women. We would like to commend the Bill of Rights Committee for the equal protection clause that is drafted last evening at its meeting. Further I would like urge your individual support and urge that the equal protection clause be included in the constitution as an integral part of the constitution and not as an alternate measure, and that's the text of my statement.

No question.

Ms. Brook: I think mine will be even briefer. I'm speaking on behalf of the eighteen hundred members of the

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Louisiana Federation of Business and Professional Women of Louisiana and we approve of the action of the Bill of Rights Committee and their adoption of the equal protection clause last night in their meeting, of our vote of 7 to 4, and hope the equal protection clause will be a part of the new constitution. And thank you.

Rev. Stovall: I'd like to ask a question of both of them. Do you consider that the action taken by the Bill of Rights Committee is equal to the amendment which is being proposed to the constitution? In other words as I understand it, their amendment, either one of you, simply said, I mean what they adopted last night, simply added the word sex to the equal opportunity act. Is that right? Is that true, chairman?

: No, I'll let you read it.

Rev. Stovall: Well, read it, go ahead.

: Well, we adopted a proposal for open theories and for consideration by the convention and it's entitled The Right to Individual Dignity, and I'll read the proposal as adopted by the Committee on the Bill of Rights and Elections. "No person shall be denied equal protection of the laws nor shall any law discriminate against the person with the exercise of his rights on the account of birth, race, sex, social origin or condition, or political or religious ideas."

Mr. Juneau: The question is, "Do you feel that this is adequate to guarantee the right to vote?"

Ms. Brook: In our state.

Mr. Juneau: In our state? You do?

Ms. Brook: I would say that it is a necessary part of our constitution to guarantee rights of all citizens of our state at this point. I'm not saying that I don't believe in equal rights amendment to the Federal Constitution unless, simply say that I think that this should be included within our state constitution.

Mr. Juneau: I've been wanting to ask this question for ten years.

Ms. Brook: What do women want, is that the question?

Mr. Juneau: The question comes up seriously. The net effect of this in areas such as alimony, have you all comprehended the effect that that would have on such amendment.

Ms. Brook: Yes, what effect do you feel that it would have?

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Mr. Juneau: I think you might not have it.

Ms. Brook: Have alimony?

Mr. Juneau: That's right.

Ms. Brook: Well, I believe, from the reading that I have done in this field, that alimony is one of those myths of our society. I'm not saying that it doesn't exist in some cases, but in a lot of cases where alimony may be perhaps the most needed, it is not being received, and I think this can be proved by a measure that I believe Senator Long intends to bring up in congress, whereby it would set the federal government on the trail of those men who fail to pay alimony to their wives, so you can see that it is a very definite problem that although alimony is often or sometimes awarded, it is not always collected. Plus the fact that the woman must prove that she is in need of this alimony, that she cannot work, and she must also be free of any guilt in the divorce itself.

Mr. Juneau: Well, the only point that I was making is that there are some real serious consequences that are outgrowths of such amendments.

Ms. Brook: You feel that men would be subject to claiming alimony?

Mr. Juneau: What I'm telling you is that I think that the strong possibility that if a man and woman were married and that they were subsequently separated, that the woman, of right, might not be entitled to alimony. That she would be treated as would the man, and said, you would have to work, as it is now, she doesn't necessarily have to.

Ms. Brook: I think that she can get alimony, as you mentioned it, up until the time the divorce is finalized, at that point, then if she can work, she must go to work.

Mr. Juneau: That's the point I'm making to you. You're treading on treacherous ground.

Mr. Anseman: (Chairman of the Citizens Initiative Committee, with membership in twenty-seven parishes) I hope what I'm about to say in opening my presentation, that I don't startle you. I and others in the committee have been talking with people throughout the state asking the simple question, "Have you been following the progress of this convention?" The usual answer is, "What convention?" Or if not that, the answer is, "Not really," or plainly and simply "no." I would say ninety-five percent of the

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people are indicating a strong apathy towards this convention and that same apathy is the apathy that has been prevalent toward government in general over the years. Now this is the reason the Citizens Initiative Committee was organized: expressly for the purpose of devising a means to bring government in Louisiana closer to the people. Now the proposal we are making is nothing novel, nothing new, it's a popular way of life throughout the United States. Now I'm going to read from my prepared text. (A copy of his statement is attached hereto and made a part of these minutes.) Thank you, gentlemen.

Mr. Staggs: Mr. Anseman, I have received some material in the mail, I presume it was from you.

Mr. Anseman: Yes, every candidate for delegate received two letters before their election.

Mr. Staggs: And I have not reached in my own mind, a conclusion about it and I'm glad that you were here today and I got an opportunity to hear it from you. I don't suppose that I really agree with your figures of 95 percent of the people in this state are ignorant or apathetic towards this convention. I think that is a stress that the radio and TV are not doing their job that I find them doing in my end of the state in publicizing the affairs of this convention, but we won't quarrel about that. Would you as a service to this convention, through similar organizations to yours in the state of California, would you get for this committee a copy of the ballot that faced the voters in California in November of last year? I remember having seen a television news story; it shows billboards and trolley signs and bumper stickers and yard signs and telephone pole signs, they have propositions going up to UVAAY AAC, they apparently filled that ballot from one end of it to

the other with initiative and/or referendum items, almost to the same extent as we had facing us with 53 constitutional amendments at one time given to us by our legislature. Now, if there are those of us who seek a cessation of that kind of treatment of voters at every election, what protection do you propose to offer to this convention in making this proposal that would limit the number of times and occasions when this could be used, or by what percentages of voters could it be made applicable, so that we don't get in Louisiana 26 or 27 or 56 initiative referendum going on by some small group of voters somewhere and that it doesn't concern the voters in my city or yours at all. What is the protection against that kind of ballot, which I find California suffered under last November?

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Mr. Anseman: Well, I wouldn't say that California suffered under that kind of situation, the total measures submitted by the people were about nine compared with some 25 submitted by the legislature. It so happens the initiative and referendum is more popular in California than the other 25 states. But our proposal requires petition for the initiative to be an amendment to the constitution -- a petition signed by eight percent of the total voters having voted for governor in previous gubernatorial elections. Now we're talking about one million voters, say, who voted total, all voters voting for governor, let's say, when Governor Edwards was elected. Now you're talking about a million voters and your talking about 80,000 signatures on a petition. It would command quite a bit of interest among the people to have a petition like that submitted to put a measure on the ballot.

Mr. Staggs: Alright, the limitations come from the number or percentage of voters required to put one of these things on the ballot.

Mr. Anseman: I don't quite follow you there. Oh, the limitations, no.

Mr. Staggs: The limitation on having too many of them would come by the setting of a percentage of the number of voters who must sign.

Mr. Anseman: That's right, and it would be rather difficult. It would have to be a matter pretty serious and close to the hearts of the people to get 50,000 people to sign a petition, is the point I'm making. It wouldn't be so easy to initiate a statute law we propose, five percent of 50,000 people, and under the referendum the law that has been passed by the legislature, and we've tested by the people, five percent also, so you're talking about a lot of signatures. With respect to California's initiative and referendum proposals, there were some pretty good proposals initiated at that election, and there might have been one of the two that would not meet with the favor of the people in Louisiana, but one in particular was sponsored by the legal citizen towns, made up of mayors throughout California, and their proposal was state revenue sharing, and I don't know how it came out at the polls, but I thought it was a pretty good measure--there was a case of counteracting sins of omission of their legislature. Another had to do with pornography and indecent exposure and that kind of thing.

Mr. Staggs: How about legalizing marijuana?

Mr. Anseman: Well, that is the one I meant, and yet that is the grass roots democratic process.

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Mr. Staggs: I would like a copy of the California ballot.

Mr. Anseman: I have already prepared examples of initiative and referendum at work in some 12 or 15 states, and we also produced references to 25 states, exact xeroxed pictures of that part of these 25 states constitution, showing exactly how it operates in those states. Now all members of the Elections Committee and the Legislative Committee have a copy of that publication.

Mr. LeBreton: How would you suggest that this constitutional convention let the other 95 percent of the people in this state know what's going on?

Mr. Anseman: I don't know, frankly, the news media has certainly given the convention a lot of coverage, but I said 95 percent -- it could be higher than that. For some strange reason, I might say, Mr. Rayburn, that down Bogalusa way, the people seem to be following the progress of this convention more closely than points west. Now, maybe it's a compliment to Mr. Rayburn due to his popularity.

Mr. LeBreton: Where are you from?

Mr. Anseman: I've lived here 12 years, and prior to that, 10 years in Shreveport, and prior to that, from birth in New Orleans.

Mr. LeBreton: In Baton Rouge, do you find only five percent ---- couldn't understand.

Mr. Anseman: In Baton Rouge, just as much as in Lake Charles or Winnfield.

Mr. LeBreton: Do you think it's the Baton Rouge news media's fault?

Mr. Anseman: No, I think they're doing a wonderful job. I think five percent is a pretty good number. And this apathy does not just extend to the blue collar worker, or the housewife, or the ordinary businessman, it extends into the professions, the medical people, even among the members of law practice. Believe me.

Senator Blair: Mr. Anseman, we have the initiative and referendum to be considered before the house part of the convention, but in most of these states, isn't it true that they vote by 10 percent of the last general election?

Mr. Anseman: I'd say the average nationwide is closer to eight percent. In Massachusetts it's only three percent.

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Senator Blair: Supposing that you had, and grant you this, we had a nice turn out the last time, some million voters, but we have had general elections here where we would only have four or five hundred thousand people, maybe, turn out.

Mr. Anseman: But it would have to be -- most states base percentage on total having voted for governor in a previous election.

Senator Blair: Well, with a good campaign, billboards, and everything, don't you think that you could get eight percent of the people to run both of us, and I both, out of this state, or at least put it up to the vote of the people.

Mr. Anseman: Well, we're not talking about recall -- it's already a part of our constitution.

Senator Blair: Well, I think the danger is still with these, so many things that could come up for election and the extreme expense.

Mr. Anseman: Do you think there would be more danger reserving these powers to the people of Louisiana than in other states? Do you feel that the people of Louisiana are just as qualified to participate if these powers are reserved to them?

Senator Blair: Didn't understand what he is saying.

Mr. Anseman: Well, I think that's something to be discussed further in committee, also, with respect to possibly geographical distribution of the signatures. In most states signatures can come from any area. I think one safeguard would be to get that there would be an indication of popular interest to distribute signatures on a petition over so many congressional districts as Florida did, and as Montana does.

Senator Blair: Do you think that you would ever get a tax that would stay on the books?

Mr. Anseman: I think the people are sensible with regard to taxation. They realize the need for taxation; they may object to a particular type of tax and call a referendum on that.

However, I've noted in examples of the use of initiative and referendum in most states, proposals by the legislature on which people have called a referendum in nine cases out of ten they have upheld the legislature.

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Senator Rayburn: Mr. Anseman, let me say the people over in my area are always wide awake, and I don't know whether they're wondering what's going to happen to them next, or if they're expecting to get something, but they usually stay awake. I'd like to ask you this. This proposal that you have recently discussed, would it cover all municipal government?

Mr. Anseman: We do propose the same as in other states to make it a matter of mandate that the cities adopt the initiative and referendum the same as Shreveport has it.

Senator Rayburn: Well, I want to know if your opinion is that in that ward where you live and the ward where I live we could get eight percent of the people to agree to hang us tomorrow morning at daylight.

Mr. Anseman: I would say that on a municipal level, the percentage should be higher.

Senator Rayburn: Well, that's what I'm thinking of. You talk about eight percent of the people that participated in the last election. You know, we in Louisiana love that, we've got kind of a political history and you would have us in a turmoil, the way I see this thing, with a small percentage figure like this. We would be in a constant election. I don't know what the cost of this would eventually be, we would have been going to the polls every few days voting on something, if it only took eight percent because this state has been politically divided, as you know, for many, many years. It used to be antis and so forth, but now it's just "fors and againers," -- bad government people and good government people. So, if we would adopt something like this, in my opinion, with an eight percent figure, the people, some of them would have to get on welfare, because they wouldn't have time to work they'd be so busy voting.

Mr. Anseman: Well, I don't think eight percent is to high on the state level. There's no use putting in a provision that would make it too restrictive. But I do agree that on the municipal level the percentage should be higher.

Mr. Sam Smith passes.

Mr. John T. Moore: I'm John Moore, I represent Dairymen, Inc., a cooperative that has dairy farmer membership in Louisiana and we represent approximately eleven hundred producers shipping milk into New Orleans and into Southwest Louisiana. As Mr. Rayburn said, they got "fors and againers." Well, I'm gonna be a little bit of both. We're for keeping everything in the constitution that protects the right of the farmer and the dairymen as far as taxation is concerned. I'm sure you're all familiar with the provisions that now

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provide him with some relief in taxation field. Our average dairy farmer now has an investment of somewhere in the neighborhood of 175,000 dollars, and if he's taxed on all of this at the cash value rate, then he'll be in hard straits to stay in business. So we do ask, just on general terms, for continuation of this provision, to mention a few, ad valorem tax exemption on farm equipment and exemption on certain items the sale tax, and also we would hope that in any future taxation, in line with the recent court decisions that farm property at least be, its valuation be based on usage basis and not on a potential usage basis. By this I report that some of our dairymen who have property that is potential subdivision property, but as long as they continue to dairy farm on it, we feel like taxation should be on a usage basis and not on a potential. On the negative side, we would not like to see anything in the constitution that would limit the right of the dairy farmers, or any farmers in Louisiana, to organize together as cooperatives in order to market their milk or perform the functions that normally would be a part of their organization. For instance, we have manufacturing facilities to make cheese and butter and powder in Louisiana that really adds to the economy of our section, and we wouldn't like to see any laws or regulations in the constitution that would limit the rights of the dairy farmers, or any other farmers, to organize in order to gain bargaining power or better facilities for marketing their products.

Thank you.

Ms. Karlene Tierney: I am president of Women in Politics which is the Louisiana Affiliate of the National Women's Political Caucus. I would like to urge the Constitution Committee in the name just of fairness and justice, to include in the constitution the clause which was tentatively approved yesterday by the Bill of Rights Committee which reads: "No person shall be denied the equal protection of the laws nor shall any law discriminate against a person in the exercise of his rights on account of birth, race, sex, social origin or condition, or political affiliation." I think we should simply ask this in the name of fairness for all citizens.

No questions.

Ms. Elizabeth Normand: My name is Elizabeth Normand and I am the president of the Baton Rouge Chapter of the National Organization for Women, which is composed of 100 men and women. I would like to urge you on behalf of NOW to please support the equal protection clause adopted yesterday by the Human Rights Subcommittee of the convention.

No questions.

Recess until 7:00 p.m.

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7:00 p.m. sess. 000

Katherine Wheeler: My name is Kathy Wheeler and I'm a member of an organization which has spoken before several committees of the Constitutional Convention, and that is Common Cause. I am not speaking as an official spokesman for Common Cause, I am speaking as someone who is interested in the issues that we would like to see presented and considered very seriously by the Constitutional Convention.

Common Cause is a citizens' lobby. I know that we can't claim that we have all citizens on our side, but we would like to think that we are looking out for the interest of citizens as such, an apolitical organization. No political party is supported by Common Cause, we're just interested in good government in general. And the issues that Common Cause is supporting and hoping that you will consider and put in the constitution are the following--and I'm just going to read from the statement, a copy of which is attached and made a part of these minutes, elaborating on the various topics.

: Do you know that Louisiana meetings law now? Are you aware of that?

Ms. Wheeler: Yes sir, I'm aware that it's a law, I'm aware that it's statutory. I'm also aware that it's very much--I don't want to use the word abusable, but I would like to see it in the constitution, so that if the legislature decides to go into executive session, they have to have a darn good reason why, and if it is included in the constitution, then the citizen or group of citizens has recourse or possible legal remedy.

Senator Lambert: Do you realize also the state, well, the legislature adopted provisions that apply to lobbyists and require that they're registered, etc.?

Ms. Wheeler: I don't believe, sir, that the lobbying laws in this state include registration. I think they include registration of the lobbyists. I might be mistaken, but I don't think that they necessarily include registration of the group supporting or sponsoring the lobbyist.

Senator Lambert: I think it does.

Ms. Wheeler: Okay, well, then like I said, that might be statutory material more so than constitutional

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material as such. But we'd like something in the constitution that sort of gives the legislature a nudge to keep going in that kind of direction.

Mr. Staggs: Your organization is Common Cause?

Ms. Wheeler: Yes, sir.

Mr. Staggs: Is it Louisiana-based?

Ms. Wheeler: No, it is a national organization.

Mr. Staggs: Where are the headquarters?

Ms. Wheeler: Washington.

Mr. Staggs: Do you have an office in this state?

Ms. Wheeler: We have a post office box in this state, and Ann Co. has given before a number of committees. I'm sure she is working out of her home. It's a bunch of people that get together or communicate with each other primarily by telephone, and sort of take individual interest in issues and then bring them before the rest of the membership to see if they are the kind of issues that Common Cause does want to support. We're not partisan in the sense that we don't want to get involved in partisan controversial issues and supporting candidates and things of that sort.

Mr. Staggs: In conclusion, what part of Louisiana are you from?

Ms. Wheeler: Baton Rouge.

: Mrs. Wheeler, your group in the forthcoming fiscal session of the legislature find one or more measures with which you wish to take issue, then will your group register as a lobbying group with the secretary of the House and the Senate?

Ms. Wheeler: Yes, sir.

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Representative LeBreton: Mrs. Wheeler, my appreciation of what they're trying to do is shorten the constitution, I think that the majority of people think that, with that in mind that would be the benefit. I quote put in the definition of a lobbyist, or a definition of an open public meeting?

Ms. Wheeler: Well, I would be willing, in my personal opinion, organization of supporting lobby and disclosure as a constitutional provision. I personally

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could understand that as being possibly statutory material that would go through the legislature with subject to revision as one sort of a need. But I think the idea of open meetings and the idea of a right to know are definitely provisions that should be guaranteed in the constitution, because you know and I know, that a lot of government activity, a lot of public business gets done in private, and this is to protect the legislators, it's to protect the regulatory agencies, because normal people, everyday citizens, what they don't know about and what they find it very difficult to find out about or where there are so many obstacles that they are finding out about, they assume some bumpy panky is going on. And this just isn't to protect the citizen, this is to give the citizen access and protect also the legislators, because when they're doing something honest, we know they're doing something honest. And this isn't an accusatory statement that in making, it's sort of a statement of skepticism, and I think the normal citizen is skeptical of the way government or the way public business that involves their money that involves things that will affect their lives in a personal and individual way are decided. And that's why I think that a provision, I mean I'm not saying that you have to have all these little provisions separately, those that are related, like right to know, open meetings could be formulated and I don't have a legal background to where I could tell you right off the bat how you should formulate that provision so that it would give the citizen recourse and it would give the legislators, and it would give the executives, and it would give all people employed by government, the protection of just everyone knowing if they want to know what's going on.

Mr. LeBreton: I'm more confused -- you say protect the legislators, I assume therefore, that you're speaking this law with reference to all steps of government, municipal government, parish government, state government?

Ms. Wheeler: Ultimately, yes I am sir, right now I think primarily, all our bills go through the committee, regards to the legislature and legislative committee.

Mr. LeBreton: That's what I thought at first that other states were pretty good of its laws that was in the statutes and not in the constitution and I can't see where it would be true if you took the same words and put them in the constitution. You have to vote in public and you have to have open meetings or you could have executive meetings for consultation but you can't vote.

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Ms. Wheeler: Okay sir, but would you make the statement then that say when there are executive sessions for consultation that those are not times periodically, and I don't know this I've never been to an executive session, when the real decision is made and later on the voters is just something that is done as an afterthought, and a very anti-climactic phenomenon and so I'm not denigrating the statute. I'm saying, that it should be something enshrined in the constitution so that it's not at all subject to legislative whim.

Mr. LeBreton: But you can't control that by making it constitutional. If six of us are on a committee, we can meet for breakfast and decide to elect you the prettiest girl in Baton Rouge. We don't need to do that in the executive session. In a meeting, we can discuss it at breakfast, have a meeting, make a motion, second it, and vote it and quit and that's it.

Ms. Wheeler: May I respectfully submit, sir, that the taxpayer probably couldn't care less whether I were elected. I'm talking about on substantive issues where there is substantive discussion and where that substantive discussion is not open to the public. The vote might be and even recorded in the name of how they voted might be, but you know -- I don't know -- sometimes reading the records of the legislature doesn't tell you a whole lot.

Well sir, I appreciate my being able to be before you this evening and I'd like to just see that put in there so that we know it's there, there's no way that anyone can complain about not being able to know or not knowing how government is run and what's going on. If they've got the least bit of interest they can go and look at records.

Mr. LeBreton: If they're going to put any of this in the constitution, I would believe they would have to say we shall have a lobbyist law, we shall have an open meeting law, as the statutes provide, because I think that the latest lobbyist law is changed almost annually in Washington. One of our problems in having a lobbyist law was to write a law that was practical and so forth. I can't foresee constitution, then every two years having to offer it to the public.

Ms. Wheeler: Well sir, I'm not suggesting that one put a very extremely specific law saying lobbyists shall register by that date or that date and you know state this or that amount, you know just tell us that we've

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got that and so we can watch the legislature and act something that's a legal beauty, that's judicable that you can hold on to that isn't full of loop holes.

: Town cost got any recommended levies for this?

Ms. Wheeler: I think that I could get that for you. I personally don't have it with me.

Mr. LeBreton: Why don't you see that our chairman gets it?

Ms. Wheeler: Yes sir.

: Would it be invading your privacy to ask in what manner you are employed?

Ms. Wheeler: No sir, it wouldn't. I work as a building estimator for a construction company.

Mr. Juneau: I had asked this question earlier and I hesitate to ask it again, someone is going to think I have domestic problems at home. It is a very critical question, what is your intention or what do you think would be the outgrowth of a provision in the constitution inserting the word "sex" nondiscrimination with the word sex.

Ms. Wheeler: I think that we're probably all familiar here with instances of discrimination based on sex. I think that we're probably all familiar here with situations where there has been no recourse on that account, because one can say, Oh well I didn't hire her because she wasn't strong enough, but then you don't hire a 90-pound weakling, I mean you know I'm not making the argument that women should go out and work on the dock if they're physically unable to do so, but I'm not making the argument that men should go out and work on the docks if they're physically unable to do so. Why I think sex should be included -- why that particular word should be included -- simply because I think a woman who spoke before the Bill of Rights Committee last week made a very telling point. She said that it was in the middle of the century 1865 when they put race in the 14th Amendment of the United States Constitution and it took us 100 years to get around to even using it as it was originally intended, and so without putting that in the constitution, without mentioning sex, there are so many ways that one can get around and there are no remedies, necessarily. If I feel discriminated against I'd like to be able to go to the Louisiana Constitution and say this guy didn't hire me not because I can't figure and estimate the

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cost of a building but because he doesn't think that women do that. See, or that they can do that.

: I fully appreciate that aspect and I think that's well-founded, but my fear is this, that I'm not sure how this is solved, but the serious problem that some of the rights the women in this state have more specifically, alimony, which if such an amendment were adopted, I would think would be in serious jeopardy and I'm just wondering if people understand that.

Ms. Wheeler: Well, I fully appreciate the point that you're making sir, and I'm not standing here in defense of a woman who is very well endowed receiving alimony from someone who is not so well endowed. And I don't think that, and this is



personal, please don't associate this with Common Cause, this is my personal position. I don't think there is any good reason why a male should have to pay alimony to a female, if the laws of the land permit it and allow the female could be self-sufficient and could be sort of functioning economic human beings. I just think that eventually the notion of men paying alimony to their ex-wives would become a nonsensical notion. Why?

: We should have met twenty years ago.

Mr. Stovall: I don't have a question, but I'd like to make just this brief statement that several questions have been raised about Common Cause and I'd like to say that from my very limited knowledge and experience that Common Cause is a very legitimate and basically sound organization. Its president or chairman is John Gardner, who was formerly Secretary of Health, Education, and Welfare. It became rather vocal and a rather significant influence in national life and the result is that the Republican Party, in the current part now, I don't know the name of it, but George Romney is the chairman of it. The Common Cause as I say, from my limited knowledge of it, is an effort to bring about the kind of citizen participation which has been manifest here tonight which I think is in keeping with our highest and best American tradition.

Mr. Cannon: Mrs. Wheeler, I noticed that when you were talking about your third item there -- lobbying -- you spoke -- you spoke of administrative and legislative and it just crossed my mind that lawyers in their efforts before the courts go to quite a bit of research, you know the sort ...

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Mrs. Wheeler: No. One might get into a very controversial area on that. I think that it would be very interesting to know and this has not anything necessarily with law -- well, maybe it does, but the conflict of interest clause I think becomes fairly pertinent and in this case, I think judges should say what their connections are -- had been -- business-wise even ironically as well as anyone else as a matter of fact, I'd be more prone to expect that from our judiciary because they do make weighty decisions and their decisions are more prone to be sort of time and stuck in law and stuck in effect on people and if you're talking about a lawyer arguing before the bar as a lobbying effort I wouldn't go so far as to say that, but I would surely say that judges should definitely make financial and economical disclosures. Yes Sir.

Mr. Cannon: I think lawyers, the legal profession and judges themselves through their ethics and what have you, are pretty well covered professionally. I'm speaking of lawyers, efforts, research these expenses and what have you where there is an issue involved which like I say, the judge could, I mean this is an effect -- is lobbying efforts too, because he couldn't say (X) number of dollars of research putting these things together do what may be a lobbying group before the legislature spent thousands of dollars doing, and not succeeding.

Mrs. Wheeler: I really don't understand what point you're making.

Mr. Cannon: I'm just saying this thought also crossed my mind -- lobbying efforts, expenditures of money, financial disclosure of efforts before administrative and legislative bodies. Why not judiciary as well? I was wondering had they considered that?

Mrs. Wheeler: I don't think as strongly and the reason for that being that my assumption, and I haven't spent that much time in courts of law, my assumption is that there is access to courts of law by most citizens, by most groups and that, that is not so true as so prominent as regards the executive and the legislative branches of the government.

Senator Lambert: Mrs. Wheeler, let me ask you this question. You know there are a lot of women and men today that when they work for awhile on a particular job and then they may be terminated, the job may run out, for example, and at this point as I understand under the Louisiana law entitles him to unemployment compensation and if he is required to be terminated on your job and you signed up for unemployment compensation and as I understand the law if you're offered another job that's similar to that, I

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don't think it has to be, well under the law now, it has to be somewhat similar to what you're required to take that job or you would forfeit your unemployment. Is that the way you understand the laws; that's the way I understand it.

Mrs. Wheeler: I'll except your interpretation.

Senator Lambert: Well, my point is this, suppose there was a job digging a ditch, if the equal rights amendment passed, this job was offered to you, you would have to accept that job, I believe.

Mrs. Wheeler: Well, I'm saying, if that's what I had been doing all along, I don't see why I would raise objections to it.

Senator Lambert: Well, my point is simply this, if this amendment should pass, would this put many other women that don't feel as you go in a situation where they would forfeit their unemployment compensation -- something that they look forward to very much in my area anyway, -- in the parishes that I represent. Have you ever thought of this? Senator Rayburn brought this point up.

Mrs. Wheeler: Let me give you a sort of somewhat practical -- my notion of down-to-earth answer to that. And that is that if your interpretation of this is correct, and one would get put in a comparable position and by comparable I assume that doesn't mean just comparable in pay or anything like that, I assume it means small. That's the way the law is now, but if the equal rights amendment passed, I don't think a woman would be expected to do the same job that a man does, so therefore, if a job were offered on the docks, as you're talking about, then that's where you would have to go, otherwise you would lose your right to draw unemployment compensation. I would assume that the law, however, would provide for training and mental capacity for doing this job, in other words, if the governor's office, let me say this, if the governor's office fell vacant, and I were unemployed, I might very seriously think that anyone would appoint me to the job. If you understand what I'm saying, and so I think, sure there should be some -- but the consideration should be of mental and physical ability, as well as other factors, possibly emotional, that might influence the kind of jobs that people normally fall into life anyway.

Senator Lambert: In other words, a man can do a more strenuous type of job than a woman.

Mrs. Wheeler: Probably in the majority of cases, yes, but I wouldn't take a little 90-pound weakling like the kind you see on the back of all sorts of funny magazines and

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say, "let's put this person on the docks and have him load two-ton crates, I mean, I don't think that you would do that anyway, would you? I mean, does the law do that? See, if the law does that to men, there's something wrong with the law, there's nothing wrong with letting women be equal under the law."

Senator Lambert: Well, I just brought this point out. I thought Senator Rayburn made a very good point. And it's something that should be considered.

Mrs. Wheeler: Very seriously.

Judge Dennis: Mrs. Wheeler, did you, or does Common Cause want women to be required to serve on juries in the constitution?

Mrs. Wheeler: I cannot speak for Common Cause, Personally, I would say yes.

Rev. Stovall: Mrs. Wheeler, has Common Cause taken a position on whether or not newsmen should be compelled to disclose the sources of their information in a court of law?

Mrs. Wheeler: I don't think that they have directly, sir. I think that that falls more within the area of civil liberties concerns, like freedom of speech, freedom of press. The extent to which they have, in fact, taken a stand is to the extent that I've demonstrated to you a while ago, the right of privacy and that might be surely interpreted to possibly include that, but I don't think that on that particular issue Common Cause has come out and said, "yes, newsmen should, or no, newsmen shouldn't." I would assume that there would have to be a very good reason for compelling newsmen to do so and that's what is stated in our sort of statement. The right of individual privacy is essential to the well-being of a free society and shall not be infringed without showing of a compelling state interest and that's as far as I can go on that.

Mr. LeBreton: I meant to ask you this earlier, Brother Cannon, on the other hand, reminded me of it. I wanted to ask you some of your ideas or Common Cause's ideas on conflict of interest and I'll give you a specific example of what I find to be difficult of it. I'm in the insurance business. The no-fault insurance matters are a rather popular cause in all the legislative bodies and basically, the insurance people have heard all of the lawyers are against it. If you have a conflict of interest, and the chair ruled that anybody that was a lawyer or insurance people couldn't vote, how did you get 53 votes in the legislature?

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Mr. Wheeler: Well sir, I specifically accepted that notion when I read the constitution and I think mostly, I think that the presumption of innocence should be included there and that in order to do that everyone does to someone who does have a serious conflict of interest, like Senator Boyd, and Adam Clayton Powell -- what I'm saying is that, I'm not saying that we should say that insurance men shouldn't have anything to do with insurance matters or should disqualify themselves, unless of course, it happens to be an issue that is of paramount economic or concern to their particular insurance firm, yes, but what I'm saying mostly, was that people should be able to know that this is an insurance man saying, giving this point of view, or voting this way, this is a lawyer who you know, in some cases, might be an ambulance chaser, a lawyer who does a lot of car wreck cases, giving this point of view. And then let the people themselves judge; see that it protects the person, that protects the insurance guy, who is also a legislator and it also protects, I think, the lawyer or whoever else stands on whatever side of the fence. If you just know that it's there.

Mr. Eleanor Shirley: I'm Eleanor Shirley and I'm president of the Baton Rouge League of Women Voters. My statement is written, and if you have questions afterward, I'd be glad to answer them. (This statement is attached hereto and made a part of these minutes.)

Mr. Cannon: Mrs. Shirley, I assume that you say amendable City-Parish plan of government by the vote of the people, I assume you are talking about a vote of the people in East Baton Rouge Parish and not the entire State of Louisiana.

Mrs. Shirley: Exactly.

Mr. Cannon: Thank you, and there's one other thing that I'd like to ask your response to. The creation of the Family Court in Baton Rouge which I've worked with at least once a week. This was created, set up, specified in the Constitution, by amendments to the constitution in the early 50's. I think, that there would be one judge of the family court, and three times we tried to add an amendment to take the number out. Would this in itself like other courts can be created by the legislature? Would this confer any irreparable harm if we added out of the constitution to let the legislature create additional judgeships for family court.

Mrs. Shirley: We have now two judgeships, is that right, for the Family Court?

Mr. Cannon: One Family Court judge and one for Division F which has been assigned to Baton Rouge.

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Mrs. Shirley: Right, that's what I'm saying that we have in effect, two judges working in the Family Court at the present time.

Mr. Cannon: Yes Ma'am, but to do this we had to stick tooth-in-cheek and assign a district court judge to Family Court.

Mrs. Shirley: I understand that, I don't believe the league has looked at that issue specifically, except to say that we certainly are glad that there is an extra judge for the Family Court, we welcome it, but we would like to see two judges in the Family Court, but we didn't specify as to how they would be appointed or how they would become judges in the court.

Mr. Cannon: Would you then say you support the family court concept in the constitution, or to allow East Baton Rouge or others to form family courts for domestic matters.

Mrs. Shirley: Probably so, yes.

Mr. Aertker: Mrs. Shirley, I heard you mention about revenues for education who all appropriate they will include in the constitution, dedications specific funds...

Mrs. Shirley: No, No, I was trying not to say that. I was trying to say that the League of Women Voters merely would support measures to increase funding for the local public school system, but not to place this in any dedicated sense into the constitution.

Mr. Aertker: You would be in favor of including something in the constitution if the law provides local school boards to communicate or to get with the local populace to see that they get the support which we are willing to see the limitations that we presently have on tax levies.

Mrs. Shirley: No, I wouldn't say that. I'd say that we would be happy to see provision for a public school system and let it so at that, and not get into areas of taxation and how the school system would be financed.

Mr. Aertker: In other words, you state then, that all the rest of it then should be left up to the legislature.

Mrs. Shirley: Right, should be left to the legislature and local government.

Mr. Stovall: Mrs. Shirley, you speak about the right to education.

Mrs. Shirley: Just a provision for free public education.

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Rev. Stovall: Free public education, alright. What limits do you suggest that is, are you preferring here to elementary and secondary education.

Mrs. Shirley: I don't know whether we need to include provision for higher education, probably so, but as far as the local league is concerned, we would be happy to see a provision for public education, and if there is an inclusion of higher education, well that's fine, but a basic statement to provide for public education.

Mr. Warren Munson: I'm Warren Munson and I'm a member of the Appraisal Institute. I'm here requesting some information from this group. I'd like to find out which committee will have charge of expropriation procedures in the state, and who should I contact concerning desires of the American Institute concerning appraisal procedure.

Mrs. Duncan: I believe that some of the committees actually are planning to look into the subject, Bill of Rights is going to look into it, Natural Resources is going to look into it, and I believe Executive Department, they have some interest there also. But certainly Bill of Rights and Natural Resources.

Mr. Munson: I have been selected as chairman of a committee for the Louisiana segment of this institute to make a study of this and my committee, The American Institute of Real Estate Appraisers, to make a study of the procedure of expropriation and I was just recently appointed to this committee. In fact, in the last three or four days, it's sort of a rush job which was brought on at the last convention we had in Baton Rouge and the president appointed me. There are quite a few things concerning expropriation which should be considered and one of the main things that have been considered by the federal government, is that a person should be placed in the same economic condition after the taking as before the taking. The present law doesn't cover all of that. The constitution doesn't cover it, it says they should be paid the market value of the property more or less. But there's a lot of things besides market value that go into a taking. Where a person is unduly burdened by a public taking. When someone takes a home, a person has to move. Somebody has just bought new curtains for their house, it don't go in a new house, somebody had bought new rugs for a house, somebody is forced out into property that they don't want. I think that could be covered in the constitution by placing them in the same economic pecuniary position as before the taking as after the taking. Now I must say that these are my personal recommendations and

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do not represent my committee. In takings for levees, in extensions of levees, the process is to pay the appraised value as placed by the assessor for ad valorem taxes. Lots of land is appraised twenty dollars an acre and they're willing to pay a thousand dollars an acre that is causing some assessors where they think a taking is going to be placed, to put a very high value, or so I understand, on that land. That shouldn't be, it should be if they need the levee lands, the public should pay for it as a whole, not one man suffer for our inability to control the levees. Another point that is discussed by the appraisers is the quick taking. The highway has the quick taking and when you use that method it's in the highways, I think it's okay. But when it comes to quick taking for other purposes, I don't think it's necessary. I don't think that schools should have the quick taking. I don't think the electric company should have the quick taking. I think that should be retained purely by the highway department. The necessity. Now, another point which is as should be, thoroughly thought out concerning the takings, is the delegation of the expropriation to some public bodies. We have so often seen gas lines -- 30 inch gas lines -- and oil lines go through a parish near cities, near towns, and where that gas line goes or where that power line goes there is a stoppage of development. These bodies, I think, this delegation of authority should be extended to these bodies only with the supervision of the political body that has affected the parish or state or city property. I have seen the oil lines and the gas lines -- 30 inch gas lines go through an area -- and they go right down through the middle of a property because it's country property, but it's going to soon be valuable city property. And these groups that are affected, the political bodies that are affected today, think about the effect on the person from whom the property was taken, and that is only a part of it. The city and parish are affected adversely by the location of these lines and these takings is vital

to the development of a parish and can do great harm to the total development of the parish. I hope that a later date comes with a set group of recommendations. I believe what I have said can be put in a very small and very short wording. I don't think it needs a long wording to cover these points that I've covered here. I think that's about all.

Senator Lambert: Well, I want to ask you Mr. Munson, have you -- if you were familiar with what section of the constitution related to expropriation or appropriation?

Mr. Munson: Yes, I've read that. Let's place it like this, that we haven't made our complete study and of course, I'm going by what I will require generally to know,

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because a lot of it we forget and don't know.

Senator Lambert: What I was specifically referring to is to refer to the levee property taken and the value given was the assessed value placed on it by the assessor. Is this provision found in the constitution?

Mr. Munson: I think it is, yes sir. I would say definitely it is in the constitution. That has never affected me in my professional business as an appraiser, but I'm not saying that as any personal problem, it's just general.

Senator Lambert: One other point I'd like to make is this. I'm chairman of the Natural Resources Committee, and we're going to cover this, feel free to contact Mrs. Duncan, and we would like for you to appear before our committee. You can get a schedule from her.

Mr. Munson: Well, that would be fine.

: Mr. Munson, I, and also Senator Lambert, this has already been covered in the Local and Parochial Affairs Committee to some degree, and we don't have any expertise necessarily in this area of prepared servitudes, but I would certainly like to invite you to come to our committee and -- the subcommittee particularly, which will be right at home on levees.

Mr. Henry: I'd like to tell you that there will be a meeting of that committee according to a note I have from the staff on the 27th, and 28th, and this particular matter is going to be discussed on that date, Mr. Munson.

Mr. Cannon: The quick taking method of expropriation such as is used by the State Highway Department has been a concern of the Police Association and I think that if we could understand your recommendations would be that this would be alright for the Highway Department to go ahead and do it because of their public need of transportation which are usually way behind whenever they finally get around to a project.

Mr. Munson: That's my personal belief and I believe most of the appraisers that I've talked to feel that way.

Mr. Cannon: Right sir, and say this would not necessarily be the case where you would project these plans ahead and such as a utility company or a school board. Let me ask you about our city-parish function here or a police jury somewhere in the parish. I don't think that a school board should not have quick taking authority same as the State Highway Department when they are going to do the same basic thing that the Highway Department is doing.

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Mr. Munson: No sir, I personally do not believe that they should have that right. I think the taking of property is an extremely serious thing and I think that they can take the time to get that -- when I come to this committee meeting next time, I'll have the vote of our group to find out and tell you exactly how they feel.

Mr. Cannon: Right, now I was speaking of the same function now, building highways and roads. Think the state would have it and the parishes should not.

Mr. Munson: Yes sir, I do. I don't think the parishes should.

Mr. Staggs: Mr. Munson, I have two comments and a question. I'm involved in the slow taking process under what they call the "topic" program where they're going to take the grounds from public streets, make a larger left turn and right turn lanes in the city of Shreveport, and the property that they're after in one intersection is a business office property that they're going to cut off of one side of it, and 10 feet off the other side of it. They're going to completely destroy the entrance driveway; they are going to cut down 16 beautiful trees in a residential neighborhood; they're going to make it dinky and move the whole building closer to the street by taking 10 more feet. They came in with an appraisal from somewhere of about

\$2.50 a foot on ground that's worth \$4.00 a foot and yet they're wondering why they are delayed in the "topic" program in not being able to acquire the ground. If they had the right to quickly take it, then we would have to go to court to sue for damages to the property and for additional recompense. I was struck by something Mr. Cannon just said, which I've never heard said exactly that way. If the city of Shreveport is making a street improvement, does that not exactly compare with State Highway Department making a state highway improvement and why would you be opposed to the city being able to quickly take the property. Our recourse -- it's going to be at the court house steps where we're damn sure going to end up in this case. But we haven't lost anything if they could quickly take it. They may lose their federal appropriations if they don't get our property and settle the matter. What's the difference.

Mr. Munson: Well, the quick taking in the case of a city and the case of all the other expropriation groups that have the power to expropriate can be planned over a period of time much more quickly than the Highway Department. They have more of a problem. Frankly, if you want to get down to it I don't think any of them really should have it, but I've found less objections in the public to the highway taking, but I think you'll run into some big problems

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with the public on a general taking. The public generally thinks that their property is something to be -- it's just something that they belong to and we shouldn't give anybody the right to take it by just going in there and quickly taking it.

Mr. Staggs: Do you appraise property either for the Highway Department or for the city of Baton Rouge.

Mr. Munson: I have appraised -- I have never appraised for the highway Department. I have appraised for the city of Baton Rouge; I have appraised once for the Highway Department on the Sunshine Bridge.

Mr. Staggs: The Highway Department goes through building interstates and they take the house belonging to a couple, let's say, they're 65-years old and lived on the property for 30 years and paid it off. It's on a paved street and they have flowers in the yard and have 2000 square feet of house that cost them \$20,000 for ground for building 30 years ago. But then to get a house on a paved street with flowers in the yard and 2000 square feet it now would cost them close to \$30,000. Is it your expressed position that the old couple ought to have a full, said-for house, on a paved street in a nice neighborhood, with flowers around it, and 2000 square feet in it exactly as the public found them when they took their old house.

Mr. Munson: It's my opinion that they should ...

Mr. Staggs: Do you appraise property in that fashion?

Mr. Munson: I appraise property for what it will sell for.

Mr. Staggs: Is that right?

Mr. Munson: Yes, I think that's right. That's the market value of it ...

Mr. Staggs: You're being, in my opinion, inconsistent, and I don't want to be badger with you or dicker with you, but I think there is an inconsistent position. Their house, if it was up for sale, would sell for \$15,000, but you are going to take out their old neighborhood where the highway through there, so there are no other houses in the neighborhood that they can go and buy; and they probably couldn't buy a 2000 square foot house on a paved street with all the amenities they had for that same price, the value of their house is ... There just wouldn't be one comparable to it for sale at that price in a similar neighborhood.

Mr. Munson: I think I've been very consistent. I have said that they should be placed in the same economic position.

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after the taking as before the taking, and that's my stand.

Mr. Staggs: And that ought to be stated in the constitution of this state for the protection of its citizens.

Mr. Munson: I think it should. I think the federal government has come around to this through bills which amount to the same thing. They are requiring the moving expenses, they are requiring a lot of things. I had a renter on my property that had cattle. He was given \$320 to move his cattle and get a few things done. That was done by the federal government in a federal taking. I think our state government's going to come to that quickly and I think that wording be put in the same pecuniary position -- that some monetary position is only fair -- it's the only fair thing that you can do.

Mr. Staggs: Well, I honestly agree with your theory. I just thought that when you said it, you were not going to go as far as I would go. It's entirely wrong for the public to take a person's property and leave him worse off than when they found him and it ought to be -- that's constitutional in my book and I don't know where it's going to be written, but your local and parochial doesn't do it, partner, your Executive Department Committee will find a way to do it.

Mr. Munson: Why should one man suffer or one family suffer, or one little widow suffer great losses when everybody can be paying for those losses -- I think that she should be made whole.

Judge Dennis: Mr. Munson, can you tell us in any more detail how you would propose to give a parish or some other local government the right to supervise expropriation because it's lands or are you suggesting that they just be given this power to do this in the constitution, or are you suggesting that they be allowed to intervene in expropriation suits and are certain to take care of public interest.

Mr. Munson: I wouldn't know how to word that, but in the delegation of authorities to expropriate should be under the supervision of the power that's affected -- the political entity that's affected. That is -- and it should be done under a process -- a due process of how it should be done. I don't think it would take very many words to cover that, and I think it's --

Mr. Henry: Any other questions? Any other people who would like to speak before the committee? We wish to thank you all for coming.

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*Rev. Alexander:*

These suggestions are not designed desert the prerogatives of this committee for you may still feel free to make the proper termination of the category under which this material should be placed. My first statement shall be directed to the committee on Bill of Rights and Elections. In order to at least control as much as possible man's inhumanity to man, I propose that the constitution contain a strong section on the rights of citizens, even stronger than those provisions contained in the United States Constitution including the Bill of Rights Amendment. It should be the right of other citizens to live how he is able or rent a home anywhere in the state, without regard to race, creed, or color. The legislatures, police juries, city councils, and other government bodies should be restricted from enacting any law, covenant, ordinance, resolution, or other regulation which prohibit the rental or sale of property to any person because of their class or race. Even though in 1964, civil rights law prohibited discrimination in public accommodations the law does not cover bars where food is not served. The constitution should state in no uncertain terms discrimination, segregation, and exclusion will be prohibited in all facets of human activity, including all recreational facilities, eating and drinking facilities, especially bars, hunting and fishing in public waters or public lands, movie houses, drive-ins, and all independent facilities. I have a special reference to bars outside of Orleans Parish, some drive-ins, service stations, restaurants, and some neighborhood playgrounds, and health facilities. Every individual born into this world is endowed by God with certain human dignity. Human dignity is a God given right, one that should not be tampered with by man. I think the constitution should contain very strong provisions making it a crime for any individual, law enforcement officer, or public official to violate the human dignity of a person by abuse, assault, false arrest, brutality upon his person, and public obscene slander. Just as the congress has enacted certain

laws for the whole country that regulate activities within the state, so much this convention through these delegates, regulate certain activities within the parishes relative to police brutality and other abuses so common to us. For example, there should be a violation, a state law, for a citizen to call a law enforcement officer to his home to report a theft and the citizen ends up being abused, cursed, beaten, and thrown in jail because the police officers refuse to treat him and his wife as human beings. Not in the history of suffrage in this country, as I'm sure all of you delegates do, it is my opinion there should be provisions in the constitution to overhaul the system of registration voting in the state. Every adolescent knows that the so called "grand-fathers clauses, literacy tests, moral character tests, and other suprefuges were inserted in previous constitutions especially the one of 1921 and other statutory laws enacted by the legislature for the purpose of preventing women, poor people, and blacks from voting. I believe the majority of the citizens of Louisiana have matured to the point where such thinking is obsolete. I believe the majority of the citizens are ready to move from this mountain of stagnation retrogression and grant to all the people their own obstructive access to the ballot. I propose that this constitution convention go on record as adopting a system of registered voters by post card. Under this system a state board of registration or some other agency such as the secretary of state or the custodian of voting machines could be designated as the agency to supervise registration with a unit in each parish but controlled by the state under uniform system. Further, I propose that the system of reapportionment will be changed in the state, where there has been quite a bit of abuse. I propose a unicameral system for electing the legislature 144 representatives from 144 separate districts which would make each representative relative to his constituents; cutting down the number of constituents from 34,000 to 25,000. I also oppose that there be a constitutional provision that will make it a crime for any executive officer of the state to deny any person employment because of his race, color, or creed. This has special reference to state wide elected officials and executive level appointees of the government. On the judiciary level, I propose that some system be worked out even though I advocate that the person be admitted to news-producing events, but the cost of the sensationalism that develops in our community from time to time when sensational crimes are committed makes it impossible for that individual to receive a fair trial. I also feel that something should be done about crime. Finally, I propose that the welfare system be overhauled to break this vicious cycle of welfare rise. ~~THANK YOU XXXXXXXX THANK YOU XXXXXXXX THANK YOU XXXXXXXX THANK YOU XXXXXXXX~~  
Mrs. Louis Courman:  
I'm president of the Women's Auxiliary of the Chamber of Commerce. Members of the Committee, I shall endeavor to give you a slight national background on the Equal Rights Amendment. It was late on the afternoon of Wednesday, March 22 in Washington when the Equal Rights Amendment for women came to a vote in the U. S. Senate. This amendment will become effective two years from ratification. This would indicate an operative date in the summer of 1974. I would like to venture a prediction, by the summer of 1976, the jubilation

singing will have died, and March 22, 1972 will be denounced as Black Wednesday and you will be hearing anguish cries for repeal. This amendment is unmitigated folly. It can not be compared with the 19th amendment which in 1920 guaranteed that women should have an equal right to vote. The legal affects of that amendment was clear, crisp, and incapable of misunderstanding.

In the case of ERA though ~~thousands~~ thousands of pages of law review articles have been written about it the legal affects are beyond calculation. Representative Paul McCluskey of California was questioned about his vote against ERA. He explained "we debated if only an hour on the amendment. ~~and~~ congress allows only an hour for debate on an amendment to the constitution, a document nearly 200 years old, I'll always vote "no" and hope for further discussion. Frank talking U.S. Senators have been revealing the hitherto hidden truth that they were unhappy about voting for ERA, but did so simply to get themselves off the hook and pass the buck to the state legislators. When asked why he voted for ERA, one prominent senator ~~sax~~ stated on May 8, 1972, "I voted for it to get those militant women off ~~h~~ my back. It is extremely important for state legislators to realize that the house judiciary committee, which voted out ERA did not approve ERA in its present form. This article shall not impair the validity of any law of the United States which exempt a person from compulsory military service, or any other law of the United States or of any state which reasonable promotes the health and safety of the people. Without this modification., the language of ERA becomes the tool of the Supreme Court to interpret it at will and that court has been known to find meanings and powers in constitutional amendments undreamed of and unintended by the congresses which propose them and the state legislators which ratified them. ~~and~~ A poll published in the New York Times showed that three percent of the women in this country want ERA; does this mean that 97% of the American women oppose ratification. Last February (not understandable)

The Maryland Commission on the status of women, the women's political caucus of Montgomery County, the state Federation of Business and Professional Women's clubs, and the womens lobby. We're libbers all who had been actively supporting ERA was suddenly unwilling to assume responsibility for the equality ~~fax~~ they had been so militantly demanding. They cautioned Senator Steers not to proceed too far, too fast. Steers, a little taken back by some of the warnings remarked to these committees, "I might say that some of the ladies, ~~or~~ women or females, or persons don't agree with each other. I think that's healthy. It shows there getting to be more like men every day. A hiss was heard ~~from~~ the back of the room.

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The next speaker is Sam A. LeBlanc from New Orleans.  
(See Statement)

I have tried to narrow down the issues that I think are the most important to both ~~me~~ as citizen of this state and as a representative of the people in district 86. First is that it almost goes without saying that what the people want is a short, concise, and clear constitution, understandable by all. I've seen this in the newspaper and so have you many times, but I would like to try

and ~~will~~ ~~be~~ ~~legated~~ of the constitutional convention that this is supremely important because ~~is~~ ~~my~~ ~~opinion~~ -estimation I don't think we can pass any constitution that is not short, and clear. And we can't pass one that is going to favor one group while cutting out the others. I realize that this is quite a generalization, but when those people go to the poles to vote on this thing, if we have anything approaching the 50 or more amendments that we usually have on the ballot a new constitution cannot and will not be passed in this state. So I say there are two extremes, keep what we have now, or come with a short, clear constitution. And obviously I am for the latter position. The second thing is that our constitution is a ~~\_\_\_\_\_~~ of nothing more than protections of favored groups, interests groups, agencies of government and even smaller than agencies, sub-agencies. Protections not for the people of this state, but for, if I may say so, private interest groups who over the years have ~~gotten~~ gotten enough political ~~\_\_\_\_\_~~ one way or the other to have themselves shrouded with constitutional protection. I would mention specific ones but I think that the delegates to this convention know ~~exactly~~ exactly what I'm talking about. The third thing which is important to me particularly being from this area, is something that has also been mentioned and that is that we have to untie the constitutional knots which prevents us from having true "Home Rule." It is ridiculous for the city of New Orleans not to be able to raise its taxes if its citizens and its local representatives want to do it and we can't do it and we can't pass or haven't been able to pass a constitutional amendment to allow us to have this privilege awesome and as onerous as it might be. Next and most important in point of time for me is that this constitution should provide the people of this state freedom from crime and freedom from the fear of crime. I specifically bring up again the tragic event which occurred in this city last week with the brutal murder of JoEllen Smith. My good friend and the daughter of a good friend. Now stated in the constitution, we protect juveniles at the age of 15 by not allowing the criminal courts to prosecute 15 year olds unless their guilty of capital crimes. Capital crimes is defined in this state as murder, or aggravated rape. I want and I ask the delegates to this constitutional convention to change that and allow 15 year olds to be prosecuted for serious felonious crimes. This is not a reaction I've talked to many people, it's a thought out suggestion. If a boy at 15 can have the most dangerous instrument known to man the automobile, ~~he~~ ~~knows~~ ~~enough~~ to know that when he puts a gun in his hand ~~he~~ ~~commits~~ ~~an~~ ~~armed~~ ~~robbery~~, ~~he~~ ~~is~~ ~~doing~~ a thing for which ~~he~~ ~~should~~ ~~have~~ ~~a~~ ~~heavy~~ ~~responsibility~~, the responsibility of an adult. Next, I would like to ask the constitutional convention to reduce the appointment powers of the ~~governments~~ ~~of~~ ~~the~~ ~~governor~~, right now, my personal opinion, ~~the~~ ~~governor~~ ~~really~~ ~~doesn't~~ ~~want~~ ~~all~~ ~~of~~ ~~the~~ ~~appointing~~ ~~power~~ ~~that~~ ~~he~~ ~~has~~ ~~because~~ ~~it~~ ~~makes~~ ~~running~~ ~~for~~ ~~office~~ ~~a~~ ~~political~~ ~~trial~~ ~~run~~ ~~and~~ ~~I~~ ~~know~~ ~~it~~ ~~because~~ ~~I~~ ~~was~~ ~~heavily~~ ~~involved~~ ~~with~~ ~~one~~ ~~of~~ ~~the~~ ~~candidates~~ ~~for~~ ~~governor~~. The interests groups, the people who know who this constitution works, the people who know what the governor can give come up to the candidate not on the basis of are you a candidate with a new face, a new program

that will protect the citizens of the state but they come up to the candidate with a question whether or not they will get that nice juicy appointment or that nice juicy job which the governor can give. Finally, and closest to my personal heart and interest is the legislature. Ladies and Gentlemen and delegates of the Constitutional Convention I think that under the present constitution, with the limitations that the legislature have you simply ought to abolish it because for all practical purposes its a waste of time. With the        that we have set out in the constitution as far as time procedure is concerned ~~xxxx~~ believe no this state does not get well reasoned legislation we don't have the time we don't have the procedure and furthermore, its illegal for us to set it up because of the limitations in the present constitution. I ask you to go one way or the other, either have a legislature whether its unicameral or suggested by Reverend

Alexander or ~~my~~ bicameral as we have it now, or just don't have it, but don't judge the people of this state for each of the legislators expenses in going up and being in Baton Rouge 60 days one year and 30 days in the next and having lobbyist control the legislature because they know that in 60 days no legislature can really understand the impact of the legislation that comes before him. We worked and I might here give an        to Mr. Henry... ~~xxxxxxxxxxxx~~. We worked for 60 days I think we had three days off and yet I stand here before you and tell you that working ~~xxxx~~ from 7:30 to 9 and 10:00 at night we couldn't do the job that the citizens of this state deserve in their representatives and so I ask the delegates here to consider that to consider changing the entire procedure of our legislature and in summary I ask again that you give the citizens of this state a constitution, a constitution in its true sense, not a statutory body of laws calling itself a constitution as we have now.

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Mr. Homer L. Hitt

(See Statement)

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Jack Jackson, Director of the Louisiana American Civil Liberties Union.

I came this morning to speak on two subjects one is the continuation of abolition of the death penalty and the other is the Equal Rights provision for women in the state ~~xxxx~~ constitution. I'd like to pass out these booklets to the committee about the death penalty. And just make a few brief comments about the death penalty. Two facts plainly recognized by the majority of the supreme court in the            vs. Georgia Case which was the case that did away with capital punishment is that -- was that capital punishment

happened with the death penalty is that the wealthy who have accused of a capital crime or in much better shape ~~xxx~~ to defend themselves than the indigent. In cases where crime is premeditated the criminal ordinarily expects to escape detention -- detection arrest and conviction so it is impossible to see how the threat of a severe punishment can deter an individual who does not expect to get caught. And I'd like to read you just a few facts in regards to the death penalty around the country and these can all be documented. The    use of the death penalty in a given state does not decrease the subsequent rate of criminal homicide in that state. Use of the death penalty in a given state may increase the subsequent rate of criminal homicide in that state, and we have statistical information on all these. ~~xx~~ Death penalty states as a group, do not have lower rates of criminal homicide than non death penalty states. States that abolished the death penalty do not show an increased rate of criminal homicide after abolition. States that have reinstated the death penalty after abolishing it have not shown a decreased rate of criminal homicide in two neighboring states, one with the death penalty and the other without it, the one with the death penalty does not show any consistently lower rate of criminal homicide. Police officers on duty do not suffer a higher rate of criminal assault and homicide in states that have abolished the death penalty than they do in death penalty states. Prisoners and prison personnel do not suffer a higher rate of criminal assault and homicide from light term prisoners in abolition states than they do in death penalty states, so

ACLU of Louisiana is on record as opposing any reinstatement of the death penalty. The other thing I want to speak about is equal rights for women and I think its unfortunate that this subject has gotten so many of the peculiar twists in our discussion, particularly before ~~xxxx~~ the bill of rights committee in Baton Rouge. Equal rights for women does not mean integrated bathrooms and does not mean doing away with rape laws, it doesn't necessarily mean that, for example, that women would be drafted into the service. But what it would mean is some specific things such as, it would mean that women would never have the right to know what's in the community in other words whats the property that they hold with their husbands which presently under the Louisiana law they do not have this right. It would open up credit sources for women, right now women in our state particularly married women have difficult times getting credit without their husbands position -- permission. And of course, it would provide equal pay for women doing the same job ~~xxxx~~ for men and it would give added legal help for women ~~help~~ get equal pay from men for doing the same job. The ACLU of La. would like to go on record and would like to have the constitutional convention and we strongly urge you to pass an equal rights provision for women to ~~xxxxxx~~ protect women in this state and we also of course urge you to support the national equal rights amendment.

      : Mr. Jackson, without expressing feelings on the death penalty either way do you believe that its worthy of constitutional status. Jackson: I do, I believe that it is worthy of constitutional status, yes.







# **COMMITTEE ON COMMITTEES**



# 1. Committee Documents

## NOTES

The Committee on Committees met on January 24 and January 25, 1973, and made assignments to substantive and procedural committees. The assignments to substantive committees are reported as I Journal, 60-61. Procedural committee assignments were not reported but may be found below.

The meetings of January 24 and January 25, 1973, were recorded but not transcribed. The Committee used delegate preference lists as the starting point for committee assignment discussions.

No other meetings were held by the Committee on Committees after their report of January 30, I Journal, 60-61.

## Procedural Committee

### Legislative Process and Transitional Measures

Edward F. Johnston, Jr.  
Merv Jersakson  
Edward Joseph McGovern  
Norman Drew  
Falecia C. Fayard  
Henry G. Harden, Jr.  
Johnny Jackson, Jr.  
Louis Joseph Lambert, Jr.  
Walter J. Lonsory, Jr.  
Conway Loftis  
Edward J. Lomax  
Robert Jackson Mason  
Benjamin R. "Sixty" Rayburn  
Jasper H. Smith  
Richard S. Thompson  
Hendall L. Voss  
Lantz Womack

### Public Information

Patricia J. Jundow, Jr.  
John Clyde Eubank  
Joe W. Silverberg  
Judy Gindler Gurlap  
Robert J. Auer  
Philo Alden Lerner  
Ethan J. Chatelain  
Norman E. "Duke" Hovine  
Kenneth Dale Hilpatrick  
Louis George Reike, Jr.  
Charles E. Roemer, III  
Jerrold P. Taylor  
Harold Joseph Tola  
Joseph Francis Toumy  
Pisley Claborn Triche  
Shady R. Wall

### Rules, Credentials, and Ethics

James L. Stowall  
Walter Gregory Annetta, Jr.  
Melrose C. Finne  
Clyde F. Bell, Sr.  
Donald T. Bowser Hollinger  
Rudolph M. Elkins  
Gordon Flory  
J. J. Haynes  
James A. McDaniel  
Peiran T. Mire  
Lawrence E. Sandoz, Jr.  
Vernon C. Shannon  
Alvin D. Sinoletary  
Tom Tano  
Thomas A. Velazquez  
George Ethel Warren

### Style and Drafting

Albert Tate, Jr.  
Max W. Tobias  
Emmett Asseff  
John L. Avant, Sr.  
David Conroy  
James L. Dennis  
Camille F. Gravel, Jr.  
Anthony Joseph Guarisco, Jr.  
R. Gordon Keane, Jr.  
Donald Gene Kelly  
Chas. Octave Perez  
Anthony Mark Rachal, Jr.  
Earl Joseph Schmitt  
J. Burton Willis



# **COORDINATING COMMITTEE**



# I. Minutes

## A. Full Committee Minutes

### MINUTES

Minutes of the Coordinating Committee of  
the Constitutional Convention of 1973  
Held pursuant to notice mailed by the  
Secretary of the Convention on  
February 27, 1973

Room 205, State Capitol  
Baton Rouge, Louisiana  
Wednesday, March 7, 1973, 2:00 P.M.

President ~~Blair~~ E. L. Henry, Chairman of the Coordinating  
Committee

Present: Representative E. L. Henry  
Tom Stagg  
Senator Cecil F. Blair  
Judge James L. Dennis  
Chairman, Judd  
Senator P. L. Darden  
Mrs. Ruth Miller  
Anthony P. Faubus, Jr., Chairman, Committee on  
Education and Welfare, representing (with  
Chairman)

Absent: Robert P. Withler  
Senator Louis F. Lumbert, Jr.  
Representative Alphonse Jackson, Jr.

Quorum present.

Agenda: The following Agenda, as contained in the notice of  
the Secretary, was read: General organization of the com-  
mittee; scheduling of meetings.

Chairman Henry read Rule No. 54 of the Rules of Procedure  
of the Constitutional Convention of 1973 with regard to com-  
position, duties and functions of the Coordinating Committee.

Chairman Henry discussed the finances of the convention,  
particularly as the present situation affects the number of  
meetings which the various committees will be able to hold  
between now and the end of the fiscal year. He pointed out  
that the Convention does not have the amount of money ideally  
needed for the committee to function as he would like between  
now and the end of the fiscal year, and stated that tomorrow  
morning we are going to the Board of Legislation and will  
request an additional \$100,000.00. He then called on Treasurer  
Lowe to discuss the finances at the present time.

Mr. Lowe stated that he has not formalized any budget to  
this date. At the last meeting of the Executive Committee an  
attempt was made to determine the number of meetings the sub-  
stantive committees could hold. At that time it was felt that  
four times a month between now and June could be supported.  
No bid is in yet on the bid let at L.S.U. Also, the Division  
of Administration has not yet furnished the figures on rentals  
of equipment by Mrs. Duncan for the Research Staff. He has  
mailed out a questionnaire to chairman of committees, asking  
how many meetings they plan to hold. (Copies also were dis-  
tributed at this meeting). Mr. Lowe stated that he doesn't

believe that in a month to six months we will get the  
time. The time value of money, and Mr. Darden  
wishing to complete the plan.

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Mr. Henry stated the need to discuss how the chairman of  
the substantive committees propose to treat this questionnaire  
at least through the end of June, and suggested this committee  
discuss it at this time, committee by committee.

Mr. Stagg, Chairman of the Committee on Executive Fe-  
partment, reported that his committee has met once, infor-  
mally, and that two meetings are presently projected - one on  
March 15 and another on March 16. The approval of meetings  
scheduled was to be taken up at the next meeting. He stated  
that his committee could meet to meet eight times per month.

Mr. Henry felt that the convention could function very  
well with an extensive use of staff and minimum amount of  
committee meetings. He said: "What you chairmen are going to  
have to do is have all day committee meetings. I am of the  
opinion that with four meetings per month between now and then,  
much can be accomplished and he prepared for the convention on  
July 5, and ask that you relate this to your committee members.

Mr. Stagg stated that his committee intends to hold two-  
day meetings rather than one per week. Two meetings have  
already been planned for this month - on March 15 and 16, and  
tentatively for March 29 and 30.

Mr. Blair, Chairman of the Committee on Legislation,  
Powers and Functions, reported that he has meetings set up for  
this Friday and Saturday, and tentatively for March 21 and 24.  
He hopes to follow the plan where four day meetings per month  
would be held, but wishes to have two-day rather than four one-  
day meetings.

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Judge Dennis, Chairman of Committee of the Judiciary, re-  
ported that his committee has met twice and fourteen other  
meetings are planned between now and June 15. All meetings  
are scheduled for Friday and are one day meetings. He ex-  
pressed some misgivings as to drafting proposal time.

As requested by Mr. Henry, a breakdown of what this  
committee has done was reported by Judge Dennis. The first  
meeting was used to give his approach to what the committee  
should do and to obtain the permission of the committee to go  
back and draft a detailed schedule. Some other business also  
was handled and this meeting lasted about a half-day. At the  
next meeting the committee finished its organization and detailed  
a proposed schedule. A schedule was approved and persons to be

invited were determined. The remainder of the day was devoted to hearing invited speakers - four or five who were experts on the judiciary. Judge Dennis stated that his committee plans to break into subcommittees after all views are expressed on the judiciary, and it is anticipated that the drafting of some proposals will take place as the work progresses.

Mr. Henry asked if any of the members had given thought to the possibility of suggesting to certain groups that it is not really necessary to appear and testify but present written testimony to the committee. He also requested that full utilization be made of the research staff.

Mr. Perez, Chairman of Committee on Local & Parochial Government, reported that to date this committee has held one

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meeting. The committee plans to follow the suggestion of the Executive Committee to limit meetings to four per month. Meetings are scheduled for March 9 and 10 to consider forms of municipal government, and for March 19 and 20 to consider other subjects such as parish forms of government. The present plan is to wait until the overall picture can be seen before breaking into subcommittees.

Mrs. Duncan reported that Senator Payburn, Chairman of the Committee on Revenue, Finance & Taxation, plans to call the first meeting of that committee in about two weeks.

Mr. Pachal, representing Mr. Aertge, Chairman of the Committee on Education & Welfare, reported that the first meeting had to be postponed and that an organizational meeting is scheduled for this Friday, March 9. He intends to propose to the committee that written testimony be taken, even without appearance, if necessary. He feels that the committee will find it necessary to divide into subcommittees.

Mrs. Miller, representing Senator Lambert, Chairman of the Committee on Natural Resources and Environment, reported that this committee will have its organizational meeting on Friday, March 9. One-half day will be devoted to hearing Paul Jones with Geological Research. Thereafter, one-day meetings are scheduled.

Chairman Henry pointed out that reporters could not cover in detail simultaneous meetings of five committees, and asked that no more than two committees should meet on the same day. Each committee chairman should clear with Mrs. Duncan and the

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Clerk's Office the meeting dates of their respective committees. Mr. Henry and Mr. Lowe, convention treasurer, also discussed the need to limit the committees to four meetings per month between now and July because of financial limitations.

After a five minute recess, the members heard Mrs. Duncan give a brief rundown on the research staff and discussed the memorandum she had prepared concerning possible overlap of subject matter and provisions of 1921 Constitution apparently

not specifically assigned to a committee.

A discussion followed concerning Articles which might have been left out and suggestions were made that each committee take Articles they feel fall under their jurisdiction and go over them with the Research Staff. The Coordinating Committee then will assign those matters left out. The Rules of the Convention require that every Article and provision of 1921 be considered by some committee.

Chairman Henry asked that prior to each meeting, committee chairmen come up with agenda for committee meetings.

Mr. Justice Albert Tate, Chairman of the Committee on Style and Drafting, presented a three-stage approach to handling rewriting of the state constitution. An ad hoc committee composed of Delegates Tate, Perez, Kean, Gravel and LeBreton, and also Mrs. Duncan and DeVan Daggett of the Legislative Council was appointed by Chairman Henry to look into Judge Tate's proposal which proposes to 1) establish constitutional articles which could be changed only by a two-thirds vote of the legislature and approval by the electorate; 2) establish a supplement

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to the constitution which legislature could change by a two-thirds vote, and 3) determine matters removed from the present constitution and placed in the statutes.

Ed Hardin, Assistant Clerk, asked the committee chairmen to seek help from Mrs. Duncan in trying to get out committee notices. He stated that five-day prior notice is required in sending out committee meeting notices. He also stated that chairmen should exercise some sort of editorial supervision over their minutes, since these minutes will be filed and are subject to Public Records Act. Mr. Hardin also made recommendations concerning style and drafting.

It was announced that the Composite Committee meetings now scheduled are:

Tuesday, April 17  
Wednesday, April 18  
Monday, April 23 thru April 27

The meeting adjourned at 4:45 P.M.

_____	Chairman
_____	V. Chairman
_____	Secretary

#### MINUTES

Minutes of the meeting of the Coordinating Committee of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on March 22, 1973

State Capitol, Baton Rouge, Louisiana  
Wednesday, March 28, 1973, 9:30 a.m.



Presiding: E. L. Henry, Chairman of the Coordinating Committee

Present

E. L. Henry  
Tom Staggs  
Alphonse Jackson, Jr.  
Sen. Cecil R. Blair  
Judge James L. Dennis  
Chairman O. Perez  
Robert H. Aertker  
Sen. Louis J. Lambert, Jr.

Absent

Sen. B. B. Rayburn

The meeting was called to order by the Chairman, E. L. "Hubba" Henry. Roll call was taken and, with a quorum present, the chairman announced that the committee would proceed in the order of business listed on the distributed copy of the agenda. The minutes were read and approved without correction. Mr. Tom Staggs requested that minutes of each meeting be mailed to the members of the committee before the next succeeding meeting.

The first order of business was consideration of a letter received by the chairman from the Chairman of the Committee on Rules, Credentials, Ethics and Schedules, the Rev. James L. Stovall. Mr. Henry read the letter, a copy of which is attached and made a part of these minutes. In discussion, it was decided that since the Rules Committee likely will hold its first meeting in early June, no action need be taken at this meeting.

Chairman Henry next explained the necessity of scheduling only two committee and/or subcommittee meetings for any one day. The schedule of committee meetings through June, insofar as presently known, was reworked. Each committee chairman expressed his views concerning his committee's schedule of meetings. A copy of the revised schedule is attached to and made a part of these minutes.

In the discussion on committee meetings, the question was posed as to whether or not subcommittee members would receive per diem pay for attending subcommittee meetings. The general consensus was that, in order to operate within the budgeted limits of funds available for the period extending until the first of July, it has been determined that each committee can hold sixteen meetings for which members may receive per diem. Whether these are full committee meetings or subcommittee meetings is left to the discretion of the committee.

Chairman Henry reported on the financial condition of the Constitutional Convention. He stated that if the committees proceed with meetings and work as now suggested, it seems possible to operate within the limits of the funds available for the remainder of the fiscal year. Mr. Henry requested each chairman respond to the questionnaires transmitted to each by the treasurer for the purpose of projecting committee budgets through December 31, 1973.

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The chairman asked his assistant, Mr. Roy Fugler, to explain the convention purchasing procedures. Mr. Fugler pointed out that forms to be filled out for any purchasing had been mailed to the substantive committee chairmen and requested that these purchase request forms be mailed to the chairman, to Mr. Fugler's attention, to expedite proper handling, including the required review by Mr. Gordon Flory and approval and signature by Mr. Henry.

In the discussion arising from a question as to whether the

convention will bear the expenses of experts brought in from other states to testify before committees, it was brought out that it may be advisable to hear from such people as New York bond experts at a meeting of the Committee on Local and Parochial Government. It was pointed out that a number of the committees would be interested in hearing this person speak. Mr. Perez stated that his committee will be glad to have other committees join the meeting if this expert comes before his committee. Chairman Henry requested that Dr. Gene Tarver inform Mr. Roy Fugler when this person is finally scheduled to appear also; he suggested that the problem of this type of expense be presented to the Executive Committee at its next meeting.

Chairman Henry requested that Mrs. Norma Duncan report to the committee concerning Research Staff, with particular attention to staff availability to committees. Mrs. Duncan distributed a listing of staff personnel and staff assignments to committees. She briefly stated the problems faced in employing personnel possessing expertise in the needed subject matter areas and requested as much advance notice of meetings as possible, especially for out-of-town meetings. The staffing of subcommittees, along with full committee meetings, at the same time, presents the problem of a shortage in staff available.

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Mr. Henry pointed out that it is very important that all committee chairmen, or the chairman's designee, attend the Composite Committee meetings. Judge Dennis stated that a letter had been mailed to each committee chairman containing the Composite Committee plan of meetings, along with a form to be filled out and returned. He urged that these forms be completed and returned as soon as possible, since the information relative to who will attend each meeting and at what time the persons attending prefer to travel (night or mornings) is necessary in order to properly schedule appearances before civic clubs or luncheons, make reservations, and the like. It was concluded that the chairman of each committee would like to receive from the Research Staff information gathered in Composite Committee meetings which pertains to his committee. Mrs. Duncan stated that the staff is planning to furnish the information to the committees in this manner.

The chairman asked Mrs. Duncan to report the progress of the Subcommittee on Alternatives. Mrs. Duncan stated that memoranda containing several possible approaches to the problem of transferring "statutory" material from the constitution to the statutes has been mailed to all members of the subcommittee and that a meeting will be held on Monday evening, April second, in New Orleans.

A discussion ensued with respect to overlapping conflict of subject matter being considered by the eight substantive committees. It was decided that a written report from each committee would be necessary in order for the Coordinating Committee to determine the proper solution to the conflicts. Upon request of the chairman, Mrs. Duncan agreed to mail a letter to the committee chairmen outlining the information needed and requesting that it be furnished to the

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Research Staff by Monday, April ninth.

Mr. Juneau, Chairman of the Committee on Public Information, stated the need to advise the public of matters to be considered by committees in forthcoming meetings and requested that such information be furnished through the Research Staff as soon as possible. He expressed the necessity of getting as much as possible of this type of information to the public before the Composite Committee meetings.

There being no further business, Mr. Chalin Perez offered a motion for adjournment. The meeting adjourned at 11:50 a.m.

*E. L. Henry*  
E. L. Henry, Chairman

Moise Denberry, Secretary

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March 27, 1973

The Honorable E. L. Henry  
Delegate, C/V/73  
P. O. Drawer 726  
Jonesboro, Louisiana 71251

Dear Mr. Henry:

The Rules Committee will need to meet prior to next general session of the Constitutional Convention to consider the following:

- Act on formal request from committee on Bill of Rights and Election for Interpretation of rule 60 on minority report.
- Adopt rule on lobbying for presentation to convention.
- Consider rule to place alternate proposals on ballot.

You will please designate possible date or, if you would like, I can meet with the Coordinating Committee in scheduling same.

The Rules Committee was delegated authority to consider credentials of delegates. Should the Rules Committee request the governor to appoint successor to Mayor Tom Tolten? Should the Rules Committee give prescribed oath to new appointees and recommend same to Executive Committee for assignment to Substantive Committee?

Yours truly,

*James L. Stovall*  
James L. Stovall

CC/73

#### SCHEDULE OF COMMITTEE MEETINGS

##### MARCH

Wednesday, March 28, 1973:	
10:00 Coordinating Committee	Room 205
10:00 Public Welfare Subcom.	Gov's Press Room
Thursday, March 29, 1973:	
9:00 Public Welfare Subcom.	Gov's. Press Room

Friday, March 30, 1973:

9:30 Judiciary Committee	Com. Room 9
10:00 Revenue, Finance & Taxation	Senate Chamber
10:00 Higher Education Subcom.	Ed. Bldg., 6th Floor

Saturday, March 31, 1973:

9:00 Revenue, Finance & Taxation	Senate Chamber
9:00 Local & Parochial Gov't. Subcom.	Com. Room 9

##### APRIL

Monday, April 2, 1973:

9:00 Executive Department Com.	
6:00 (p.m.) Judge Tate Subcom	New Orleans

Tuesday, April 3, 1973:

9:00 Executive Department Com	
10:00 Higher Education Subcom	Ed. Bldg., 6th Floor
10:00 Elementary & Secondary Sub.	Mineral Bd. Hearing Rm.

APRIL (Cont'd.)

Wednesday, April 4, 1973:

10:00 Education & Welfare Com.	EBR School Bd. Bldg.
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Thursday, April 5, 1973:

8:30 Subcom. on Revenue Other Than Property Tax	
9:00 Public Welfare Subcom.	LTA

Friday, April 6, 1973:

Legislative Powers & Functions Com.  
Bill of Rights and Elections

Saturday, April 7, 1973:

Legislative Powers & Functions  
Bill of Rights and Elections

Monday, April 9, 1973

10:00 Local & Parochial Gov't.	
Natural Resources	

Tuesday, April 10, 1973:

9:00 Local & Parochial Gov't.	
10:00 Elementary & Secondary Subcom.	
Natural Resources	

Wednesday, April 11, 1973:

10:00 Public Welfare Subcom.	
Orientation Conference	

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APRIL (Cont'd.)

Thursday, April 12, 1973:

9:00 Public Welfare Subcom. (?)	
Orientation Conference	

Friday, April 13, 1973:

9:30 Judiciary Committee	
Revenue, Finance & Taxation	

Orientation Conference

Saturday, April 14, 1973:

9:00 Revenue, Finance &  
Taxation  
  
Judiciary

Monday, April 16, 1973:

Natural Resources  
Bill of Rights &  
Elections

Tuesday, April 17, 1973:

COMPOSITE COMMITTEE  
  
Bill of Rights &  
Elections (until 2:00 p.m.)

Wednesday, April 18, 1973:

COMPOSITE COMMITTEE

Thursday, April 19, 1973:

COMPOSITE COMMITTEE

Friday, April 20, 1973:

Legislative Powers &  
Functions  
  
9:30 Judiciary

Saturday, April 21, 1973:  
Legislative Powers &  
Functions

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APRIL (Cont'd.)

Monday, April 23, 1973:

COMPOSITE COMMITTEE

Tuesday, April 24, 1973:

COMPOSITE COMMITTEE

Wednesday, April 25, 1973:

COMPOSITE COMMITTEE

Thursday, April 26, 1973:

COMPOSITE COMMITTEE

Friday, April 27, 1973:

COMPOSITE COMMITTEE  
  
10:00 Local & Parochial Gov't.  
Committee  
  
10:00 Revenue, Finance &  
Taxation

Saturday, April 28, 1973:

9:00 Local & Parochial Gov't.

Monday, April 30, 1973:

9:00 Executive Department Com.  
Natural Resources

MAY

Tuesday, May 1, 1973:

9:00 Executive Department  
  
10:00 Elementary & Secondary  
Subcom.  
  
Natural Resources &  
Environment

Wednesday, May 2, 1973:

9:00 Executive Department  
  
10:00 Education & Welfare Com.

MAY (Cont'd.)

Friday, May 4, 1973:

Bill of Rights  
Legislative Powers &  
Functions

Saturday, May 5, 1973:

Bill of Rights &  
Elections  
Legislative Powers &  
Functions

Monday, May 7, 1973:

Natural Resources

Tuesday, May 8, 1973:

Natural Resources

Wednesday, May 9, 1973:

9:00 Executive Department

Thursday, May 10, 1973:

9:00 Executive Department

Friday, May 11, 1973:

9:00 Executive Department  
Judiciary

10:00 Revenue, Finance &  
Taxation

Saturday, May 12, 1973:

9:00 Revenue, Finance &  
Taxation  
Judiciary

Friday, May 18, 1973:

Bill of Rights  
Legislative Powers &  
Functions

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MAY (Cont'd.)

Friday, May 25, 1973:

Judiciary  
  
10:00 Revenue, Finance &  
Taxation

Saturday, May 26, 1973:

9:00 Revenue, Finance &  
Taxation  
Judiciary

JUNE

Friday, June 1, 1973:

Judiciary

Friday, June 8, 1973:

Judiciary  
  
Revenue, Finance &  
Taxation

Saturday, June 9, 1973:

Revenue, Finance &  
Taxation

Thursday, June 14, 1973:

9:00 Executive Department

Friday, June 15, 1973:

9:00 Executive Department  
Judiciary

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Saturday, June 16, 1973:  
9:00 Executive Department  
Friday, June 22, 1973:  
Revenue, Finance &  
Taxation  
Saturday, June 23, 1973:  
Revenue, Finance &  
Taxation

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#### MINUTES

Minutes of the Coordinating Committee of  
the Constitutional Convention of 1973

Held pursuant to notice mailed by the  
Secretary of the Convention on April 9, 1973  
Mayor's Dining Room, City Hall  
New Orleans, Louisiana  
Wednesday, April 18, 1973, 9:30 A.M.

Presiding: E. L. Henry, Chairman of the Coordinating Committee

<u>Present</u>	<u>Absent</u>
E. L. Henry	Alphonse Jackson
Tom Staggs	B. B. Rayburn
Patrick Juneau (Blair)	
James L. Dennis	
Chalin O. Perez	
Anthony Rachal (Aertker)	
Louis Lambert	

Chairman Henry called the meeting to order and asked  
Justice Tate to report to the committee on the Subcommittee  
on Alternatives.

Justice Tate presented the Final Report of the Subcommittee  
on Alternatives, including Staff Memorandum No. 3, which  
is attached to and made a part of these minutes as Appendix A.

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After some discussion, Chairman Henry suggested that the committee probably did not have the authority to accept and/or make recommendations relative to the report, but that perhaps Justice Tate should present the report to the Committee on Legislative Liaison and Transitional Measures, since the matter seems to be within the realm of its responsibility, and that committee should then report back to the Convention.

Senator Lambert felt that some definite action should be taken and moved to adopt the Final Report of the Subcommittee on Alternatives. There being no objections, the motion carried.

Chairman Henry directed Representative LeBreton to call a meeting of the Committee on Legislative Liaison and Transitional Measures as soon as possible.

In other business Mr. Staggs, on behalf of the Committee on the Executive Department, requested that the Convention bear the actual expenses of bringing before that committee

not more than three out-of-state experts. He moved that this expense be paid in an amount not to exceed \$750.00. The motion was unanimously adopted.

Mr. Rachal alerted the committee that at a later date the Committee on Education and Welfare would need one or two experts to testify before that committee.

Mrs. Norma Duncan, Director of Research, reported on the status of the Research Staff. There are now forty-two people employed full time on the staff. The offices of the Research Staff are scheduled to be moved on April 19, 1973 to the fourth floor of the LSU Law Center.

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Each member received from Mrs. Duncan a copy of the Rules of the Convention and an Index to the Rules. She noted that the Legislative Council assisted in the preparation of the index.

Mrs. Duncan presented Staff Memorandum No. 1, a copy of which is attached to and made a part of these minutes as Appendix B, dealing with areas of conflicting jurisdiction between committees.

The committee began its consideration with matters which need to be assigned. (See page 16 of Staff Memorandum No. 1).

In Article VII, Sections 7, 21, 33 and 55 were assigned to the Committee on Judiciary.

After considerable discussion, Mr. Juneau moved to assign the responsibility for Sections 56 and 57 to the Committee on Judiciary also. Motion adopted.

Mr. Staggs moved to assign Section 69 to the Committee on Bill of Rights and Elections. Mr. Perez offered a substitute motion that those portions of the provision which deal with Judiciary should be in the Judiciary Committee, those which deal with local government should go to the Committee on Local and Parochial Government and those which deal with elections should go to the Committee on Bill of Rights. The motion was defeated.

Mr. Staggs's original motion was defeated.

Mr. Juneau moved to assign those portions of Section 69 dealing with local government to the Committee on Local Government and those portions dealing with Judiciary to the Committee

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on Judiciary. The motion was adopted, with only Mr. Staggs opposed.

Sections 72 and 93 were assigned to the Committee on Judiciary.

Mr. Rachal moved that Article XII, Section 5 be assigned to the Committee on Education and Welfare, since it deals with the State Superintendent of Education. The motion carried with no objections.

Mr. Staggs moved that Section 34 be made a matter of liaison between the Committee on the Executive Department and the Committee on Legislative Powers and Functions. Motion adopted.

Section 9 of Article IV was also designated a matter of liaison between those two committees.

Mr. Stagg moved that Article VII, Section 7 remain the responsibility of the Committee on the Judiciary. Motion adopted.

Mr. Stagg moved that Article VII, Sections 21, 33, 55, 56, 57, 60, 69, 72 and 93 all remain the responsibility of the Committee on Judiciary. Motion adopted.

Article XII, Section 5 was assigned to the Committee on Education and Welfare.

Mr. Juneau moved to assign Section 10 of Article XIX to the Committee on Legislative Powers and Functions. Motion adopted.

Section 34 of Article III was assigned to the Committee on Legislative Powers and Functions.

Mr. Juneau moved that Section 36 be considered jointly by the Committee on Education and Welfare and the Committee on

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Legislative Powers and Functions. Motion adopted.

Mr. Stagg moved that the request by the Committee on Legislative Powers and Functions be approved and some liaison be made between various committees and the Committee on Legislative Powers and Functions. (See C. on page 18 of Staff Memorandum No. 1). Motion adopted.

Mr. Stagg moved that the provisions dealing with penal and correctional institutions be assigned to the Committee on Education and Welfare. Motion adopted.

Assignment of the provisions dealing with retirement, at the request of Mr. Perez, was delayed until a later date.

The meeting adjourned at 11:25 A.M.

  
E. C. Hurley, Chairman

#### APPENDIX A

CC/73

Subcommittee on Alternatives

Coordinating Committee

April 14, 1973

#### FINAL REPORT

SUBJECT: Alternatives available to substantive committees with regard to present provisions of our present state constitution.

TO: Coordinating Committee, CC/73

FROM: Subcommittee on Alternatives

The Subcommittee on Alternatives met April 14, 1973 and unanimously adopted the following motion by Mr. Keane:

That this subcommittee recommend to the Coordinating Committee and to the Committee on Legislative Liaison and

Transitional Matters that these committees review the use of schedules to continue the process of the Florida provision, set forth in Staff Memorandum No. 1, taking into consideration language and legislative subsequent legislative supplement to the Florida provision. If approved, then it is recommended that the committees be requested to divide their report into two parts:

1. Substantive, basic constitutional provisions.
2. Those provisions of the 1921 Constitution recommended to be:

a. Treated as statutory material, subject to super majority amendment by the Legislature.

and/or by vote of the local elect rates.

b. Treated as statutory material to be approved, repealed or modified by a majority vote of the Legislature; and

c. Declared obsolete;

and that the question of whether or not these divisions will be treated each as a separate item or section of the constitution or placed in schedules to be deferred until a later date.

Attached to this final report is a copy of Staff Memorandum No. 3, referred to in the motion adopted on April 14, 1973. The subcommittee previously submitted an interim report on April 7, 1973, attached reports.

The subcommittee, having carried out the duties assigned to it to the best of its understanding, respectfully submits this report.

Respectfully submitted,

Subcommittee on Alternatives  
A. C. Hurley, Chairman

Camille F. Hurley, Jr.  
Deputy

R. Gordon  
Deputy

Edna M. F. Hurley, Jr.  
Deputy

Charles F. Hurley  
Deputy

Joseph F. Hurley  
Deputy

De Vane F. Hurley  
Deputy

De Vane F. Hurley  
Deputy

I. Provisions of Constitution of 1921, As Amended, Which Two or More Substantive Committees Propose to Substitute

Article and Section	Subject	Committees
I,14	Subordination of Military to Civil Power	1) Bill of Rights and Elections 2) Executive Department
II,3	Continuity of Governmental Operations Under Enemy Attack	1) Bill of Rights and Elections 2) Legislative Powers and Functions 3) Executive Department
III,2,3, 4,5, 6	Apportionment of Legislature	1) Legislative Powers and Functions 2) Bill of Rights and Elections (affected)
III,8	Special Elections to Fill Legislative Vacancies (Governor to Call)	1) Legislative Powers and Functions 2) Executive Department (In Part)
III,8.2	Veto Sessions	1) Legislative Powers and Functions 2) Executive Department
III,9,10	Qualifications, Residence Requirements, Term, Election, Procedural Rules, Discipline	1) Legislative Powers and Functions 2) Bill of Rights and Elections
III,26	Signing of Bills; Delivery to Governor	1) Legislative Powers and Functions 2) Executive Department

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Article and Section	Subject	Committees
III,27	Effective Date of Laws; Publication	1) Legislative Powers and Functions 2) Executive Department
III,30	Sale or Trade of Votes; Purchase of Supplies on Bid; Contracts, Personal Interests, Approval	1) Legislative Powers and Functions 2) Executive Department (excluding Sale or Trade of Votes)
III,32	Merger or Consolidation of Similar Executive and Administrative Offices	1) Legislative Powers and Functions 2) Executive Department
III,33	Convict Labor, Public Works,	1) Education and Welfare 2) Natural Resources and Environment
III,34	Salaries of Public Officers; Change	1) Legislative Powers and Functions 2) Executive Department (requests Liaison with Legislative Powers and Functions)
III,35	Suits against the State; its Agencies and Political Subdivisions	1) Bill of Rights and Elections 2) Legislative Powers and Functions
III,37	Rights of Way; Roads of Necessity; Drainage	1) Bill of Rights and Elections 2) Natural Resources and Environment
III,44	Bond for Milk Processors	1) Legislative Powers and Functions 2) Natural Resources and Environment
IV,1	Appropriations; quarterly accounting	1) Legislative Powers and Functions 2) Executive Department
IV,1(a) 2(a)	Board of Liquidation of State Debt	1) Legislative Powers and Functions 2) Executive Department 3) Revenue, Finance and Taxation 4) Local and Parochial Government
IV,2	Public Debt, Alienation of Public Lands, Mineral Rights, Royalty Road Fund	1) Natural Resources and Environment 2) Local and Parochial Government 3) Revenue, Finance and Taxation 4) Legislative Powers and Functions

CC-2

Article and Section	Subject	Committees
IV,4	Local and Special Laws on Various Subjects	1) Local and Parochial Government 2) Natural Resources and Environment (affecting) 3) Education and Welfare 4) Legislative Powers and Functions 5) Revenue, Finance and Taxation
IV,7	Wages, Hours, Working Conditions	1) Bill of Rights and Elections (affected) 2) Education and Welfare 3) Natural Resources and Environment

IV,8	Public Funds, Prohibited Expenditures	1) Bill of Rights and Elections 2) Education and Welfare 3) Revenue, Finance and Taxation
IV,11	Appropriations Bill	1) Education and Welfare 2) Revenue, Finance and Taxation 3) Legislative Powers and Functions 4) Executive Department (suggest refer to Coordinating Committee)
IV,12	Loan or Pledge of Public Credit	1) Revenue, Finance and Taxation 2) Bill of Rights and Elections 3) Natural Resources and Environment 4) Education and Welfare 5) Local and Parochial Government
IV,12(b)	State Market Commission; Guaranteed Loans	1) Legislative Powers and Functions 2) Executive Department 3) Natural Resources and Environment
IV,12(c)	Commissioner of Agriculture; Guaranteed Loans; Farm Youth Organizations	1) Legislative Powers and Functions 2) Executive Department 3) Natural Resources and Environment
IV,14	State Educational and Charitable Institutions; Establishment, Vote	1) Education and Welfare 2) Bill of Rights and Elections (affected)

CC-3

Article and Section	Subject	Committees
IV,16	Forced Heirship, Adoption, Trusts	1) Education and Welfare 2) Bill of Rights and Elections
V,1	Executive Officers	1) Executive Department 2) Bill of Rights and Elections (affected) 3) Natural Resources and Environment
V,2,3	Governor, Lieutenant Governor, Executive Power, Term, Election	1) Executive Department 2) Bill of Rights and Elections
V,8,9	Lieutenant Governor, President of Senate	1) Executive Department 2) Legislative Powers and Functions
V,11	Appointment of Officers	1) Legislative Powers and Functions 2) Executive Department
V,14,15	Governor, Extraordinary Session, Restriction on Power to Legislate, Veto by Governor	1) Executive Department 2) Legislative Powers and Functions
V,16	Item Veto, Appropriation Bills	1) Revenue, Finance and Taxation 2) Legislative Powers and Functions 3) Executive Department
V,17	Acts Not Requiring Governor's Signature	1) Executive Department 2) Legislative Powers and Functions
V,18	Constitutional Officers, Election, Terms, Vacancies	1) Executive Department 2) Natural Resources and Environment 3) Bill of Rights and Elections (affected)
V,20	Salaries of Constitutional Officers	1) Natural Resources and Environment 2) Executive Department
VI,1	Wildlife and Fisheries Commission	1) Executive Department 2) Natural Resources and Environment

CC-4

Article and Section	Subject	Committees
VI,1,3-9	Public Service Commission	1) Executive Department 2) Bill of Rights and Elections (affected) 3) Education and Welfare 4) Natural Resources and Environment (direct sales of Natural Gas)
VI,11	Boards of Health	1) Executive Department 2) Education and Welfare
VI,11.1	Mosquito Abatement Districts	1) Local and Parochial Government 2) Natural Resources and Environment

VI.13	Agriculture Department	1) Executive Department 2) Natural Resources and Environment
VI.14	Agriculture and Immigration; Public Policy	1) Education and Welfare 2) Natural Resources and Environment
VI.16	Port of New Orleans	1) Revenue 2) Local and Parochial Government 3) Natural Resources and Environment
VI.19	State Highways and Bridges; Construction and Maintenance; Traffic Regulation; Rights of Parishes, Municipalities and Political Subdivisions	1) Bill of Rights and Elections 2) Executive Department
VI.19.1	Expropriation for Highway Purposes	1) Bill of Rights and Elections 2) Natural Resources and Environment 3) Executive Department
VI.19.3	Beautification of Highways	1) Natural Resources and Environment 2) Education and Welfare 3) Executive Department
VI.21-21.4	Highway Fund	1) Revenue, Finance and Taxation 2) Natural Resources and Environment 3) Executive Department

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Article and Section	Subject	Committee
VI.24	Highway Bonds	1) Revenue, Finance and Taxation 2) Local and Parochial Government
VI.26(2)	Legislative Auditor	1) Revenue, Finance and Taxation 2) Legislative Powers and Functions
VI.27	Board of Lake Pontchartrain; Causeway	1) Local and Parochial Government 2) Natural Resources and Environment 3) Executive Department
VI.28	Liquefied Petroleum Gas Commission	1) Executive Department 2) Natural Resources and Environment
VI.29.31, 32.33, 33.1, 34.35, 36	Port Commissions	1) Natural Resources and Environment 2) Local and Parochial Government
VI-A.5.6, 7.9-12	Caroline Tax for Ports; Motor Fuel Tax; Dealers; Importers; Penalties; Exemptions, etc.	1) Executive Department 2) Local and Parochial Government
VII.2	Writs of Habeas Corpus and In Aid of Jurisdiction; Reasons for Refusal	1) Judiciary Department 2) Bill of Rights and Elections
VII.6	Divisions; Rotations; Terms	1) Judiciary Department 2) Bill of Rights and Elections 3) Executive Department
VII.7	Limited Terms; Election	1) Judiciary Department 2) Bill of Rights and Elections 3) Executive Department
VII.10	Supervisory; Original and Appellate Jurisdiction	1) Judiciary Department 2) Bill of Rights and Elections 3) Revenue, Finance and Taxation
VII.22	First Circuit; Domicile	1) Judiciary Department 2) Bill of Rights and Elections
VII.23	Second Circuit; Domicile; Sessions	1) Judiciary Department 2) Bill of Rights and Elections

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Article and Section	Subject	Committee
VII.29	Court of Appeals; jurisdiction	1) Judiciary 2) Bill of Rights
VII.33	District Courts; District	1) Judiciary 2) Bill of Rights 3) Executive
VII.41	Selection of jurors; women jurors	1) Judiciary 2) Bill of Rights
VII.42	Grand Jury; district judges; authority in Criminal Codes	1) Judiciary 2) Bill of Rights
VII.43	Sessions; findings of fact	1) Judiciary 2) Bill of Rights

VII.44	Waiver of City and Parish Election of Substant	1) Judiciary 2) Executive
VII.45	Change of Venue	1) Judiciary 2) Bill of Rights
VII.46	Justice of the Peace Ward	1) Judiciary 2) Bill of Rights
VII.47	Justices' qualifications; election	1) Judiciary 2) Bill of Rights
VII.51	Justice of the Peace Courts; City Courts	1) Judiciary 2) Bill of Rights
VII.52	Circuit Judges; jurisdiction	1) Judiciary 2) Bill of Rights
VII.54	Repealed	
VII.55	Department of Justice; establishment; composition; Attorney General	1) Judiciary 2) Bill of Rights 3) Executive
VII.56	Attorney General; qualifications; powers and duties; vacancies	1) Judiciary 2) Executive
VII.57	Department of Justice	1) Judiciary 2) Executive
VII.58	District Attorneys; establishment of office; election; term	1) Judiciary 2) Bill of Rights

CC-7

Article and Section	Subject	Committee
VII.59	Salary; qualification	1) Judiciary 2) Bill of Rights
VII.60	Assistant District Attorney	1) Judiciary 2) Executive
VII.62(2)	District Attorneys; assistants; salary	1) Judiciary 2) Education
VII.63	Sheriff; establishment of office; election	1) Judiciary 2) Bill of Rights 3) Executive
VII.64	Clerical establishment of office; election; powers and duties	1) Judiciary 2) Bill of Rights
VII.69	Vacancies; appointment; special elections	1) Judiciary 2) Bill of Rights 3) Executive 4) Education 5) Education; Taxation
VII.70	Coroner; establishment of office; election; term	1) Judiciary 2) Bill of Rights
VII.71	Coroner; qualifications; actions for office	1) Judiciary 2) Bill of Rights
VII.72	Coroner; vacancy	1) Judiciary 2) Executive
VII.93	City Courts of New Orleans; Vacancy	1) Judiciary 2) Executive
VIII.1-4	Personnel; powers; duties; officials	1) Bill of Rights 2) Executive 3) Education
IX.1-4	Impoundment	1) Executive 2) Legislative 3) Judiciary 4) Education
IX.4	Judiciary; powers; duties; jurisdiction of judge	1) Judiciary 2) Executive
IX.6.7	Local Judges	1) Judiciary 2) Executive

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Article and Section	Subject	Committee
IX.8	Supervision; Judicial Officers	1) Judiciary 2) Executive 3) Education
IX.9	Penalty; Recall	1) Judiciary 2) Executive
X.1	Executive Powers; Justices	1) Judiciary 2) Executive 3) Education

X,4	Tax exemptions	1) Natural Resources 2) Revenue 3) Education 4) Local and Parochial	XIV,3(g)	Parish Charter Commission	1) Local and Parochial 2) Bill of Rights
X,5,6	Local taxes	1) Revenue 2) Local and Parochial	XIV,4	Dissolution and merger of parishes	1) Local and Parochial 2) Bill of Rights
X,8	Banks, license tax	1) Revenue 2) Local and Parochial	XIV,5	New or enlarged parishes; adjustment of assets and liabilities	1) Local and Parochial 2) Bill of Rights
X,10,10a, 10b	Special local taxes	1) Local and Parochial 2) Education 3) Revenue	XIV,6	Property for navigation canals; financing	1) Local and Parochial 2) Revenue 3) Natural Resources
X,11	Collection of taxes	1) Revenue 2) Local and Parochial 3) Natural Resources (45, post-payment in cases of emergency)	XIV,7	Withdrawal of municipality from parochial taxing authority	1) Local and Parochial 2) Revenue
X,13-17	Assessments, collections	1) Revenue 2) Local and Parochial	XIV,8	Parochial taxation in cities and towns; limitation	1) Local and Parochial 2) Revenue
X,21	Sovereignty Tax	1) Revenue 2) Local and Parochial 3) Natural Resources	XIV,10	Municipal consolidation; special taxes	1) Local and Parochial 2) Revenue
X,22	New industry, exemption	1) Local and Parochial 2) Education 3) Revenue	XIV,11	Parochial tax limits	1) Local and Parochial 2) Revenue
X,23	Tax for Nicholls College	1) Local and Parochial 2) Education 3) Revenue	XIV,12	Municipal tax limits	1) Local and Parochial 2) Revenue
X,24	Tax relief for manufacturing establishments	1) Education 2) Revenue	XIV,13	City of Shreveport bonds and reaffirmed	1) Local and Parochial 2) Revenue
	CC-9				
Article and Section	Subject	Committee	Article and Section	Subject	Committee
XII, 9	Appropriations; Institutions of Higher Learning	1) Education and Welfare 2) Revenue, Finance and Taxation	XIV,15,2	Financial security for care of aging parents and children	1) Natural Resources 2) Education
XII,13	No Appropriation of Public Funds for Private or Sectarian Schools	1) Bill of Rights and Elections 2) Education and Welfare 3) Revenue, Finance and Taxation	XIV,16	Servitudes; public acquisition by prescription	1) Local and Parochial 2) Natural Resources
XII,14-16	Funds for Parish Schools; Management; Orleans Parish School Board	1) Revenue, Finance and Taxation 2) Education and Welfare	XIV,17	State penal institutions; reimbursement of parish expense	1) Local and Parochial 2) Education 3) Revenue
XII,17	LSU; Funds (Mineral Revenues, etc.)	1) Revenue, Finance and Taxation 2) Education and Welfare 3) Natural Resources and Environment	XIV,19	Special tax to aid public utilities; elections; qualification of voters	1) Local and Parochial 2) Revenue
XII,18-20	Sixteenth Section Lands; Free School Fund	1) Revenue, Finance and Taxation 2) Education and Welfare 3) Local and Parochial Government	XIV,22(a)	Vieux Carre Commission	1) Local and Parochial 2) Revenue
XII,21	A & H College Fund	1) Revenue, Finance and Taxation 2) Education and Welfare 3) Natural Resources and Environment	XIV,23.1	New Orleans; sewerage, water, and drainage systems; special tax	1) Local and Parochial 2) Revenue
XIII,2-3	Corporations; Stock or Bond Issues; Railroads	1) Legislative Powers and Functions 2) Education and Welfare	XIV,23.2	New Orleans; sewerage, water, and drainage systems; special tax	1) Local and Parochial 2) Revenue
XIII,5	Corporations; Creation by General Laws; Monopolies	1) Legislative Powers and Functions 2) Education and Welfare 3) Bill of Rights and Elections	XIV,23.3	New Orleans; Sewerage and Water Board; water rates; Sinking Fund	1) Local and Parochial 2) Revenue
XIII,6	Canal and Hydroelectric Development	1) Legislative Powers and Functions 2) Natural Resources and Environment 3) Education and Welfare	XIV,24	New Orleans; Board of Liquidation of City Debt	1) Local and Parochial 2) Revenue
XIII,7	Perpetual Franchises	1) Legislative Powers and Functions 2) Education and Welfare 3) Bill of Rights and Elections	XIV,24.1	Motor fuel; local taxation prohibited	1) Local and Parochial 2) Revenue
XIII,8	Definitions	1) Legislative Powers and Functions 2) Education and Welfare	XIV,24.2	New Orleans; sewerage, water and drainage bonds; authorization	1) Local and Parochial 2) Revenue
	CC-10		XIV,24.3	New Orleans; sewerage, water and drainage bonds	1) Local and Parochial 2) Revenue
			XIV,24.4	New Orleans; sewerage, water and drainage bonds; funds for payment	1) Local and Parochial 2) Revenue
			XIV,24.5	New Orleans; sewerage and water bonds; taxes	1) Local and Parochial 2) Revenue
			XIV,29	Zoning ordinances	1) Local and Parochial 2) Education
			XIV,29.1	Parish industrial areas	1) Local and Parochial 2) Education
Article and Section	Subject	Committee	Article and Section	Subject	Committee
XIV,1	Sanitary Code	1) Local and Parochial 2) Bill of Rights	XIV,30	Improvements by irrigation; water requisition; flood protection	1) Local and Parochial 2) Natural Resources 3) Bill of Rights
XIV,2	Change of parish boundaries	1) Local and Parochial 2) Bill of Rights	XIV,30.1	Port, harbor and terminal district creation as political subdivisions	1) Local and Parochial 2) Natural Resources
XIV,3	Regulation of public utility	1) Local and Parochial 2) Bill of Rights	XIV,30.2	Lake Charles Harbor and Terminal District; ratification	1) Local and Parochial 2) Natural Resources
XIV,4	Public Utility Commission	1) Local and Parochial 2) Natural Resources	XIV,30.3	Navigation and river improvement districts; creation as political subdivisions	1) Local and Parochial 2) Natural Resources
XIV,4a	Parish Charter Commission	1) Local and Parochial 2) Bill of Rights			





Section 56:	(Department of Justice) Attorneys General	§ 1(a)	State tax, levy or increase in rate; approval by two-thirds of legislature (Coordinate with Revenue and Taxation)
Section 57:	(Department of Justice) Salaries	Article XII - Public Education	
Section 60:	(District Attorney) Assistants	§ 7	Colleges and universities; supervision; coordinating council (Coordinate with Education and Welfare)
Section 69:	(Vacancies) Appointments; Special Elections		CC-19
Section 72:	(Coroner) Vacancy		
Section 93:	(New Orleans City Courts) Vacancies; Temporary Filling by District Judges	Article XVII - Militia	
	CC-17	§ 3	Adjutant general (Coordinate with Executive)
Article XII - Public Education		Article XXI - Amendments to the Constitution (Coordinate the following sections with Bill of Rights)	
Section 5:	State Superintendent of Education	§ 1	Proposals; procedure; approval; proclamation; multiple amendments; numbering
		§ 1(a)	Special elections
Article XIX - General Provisions		§ 2	Laws effectuating amendments
Section 10:	Salaried officers; Fees and Perquisites		
B. Articles and Sections to be considered in Liaison with Committee on the Legislature		D.	The Committee on Local and Parochial Government expresses a desire to consider the articles and sections listed on its "Exhibit B" but requests Coordinating Committee consideration because of possible conflict, and/or overlap with other substantive committee jurisdictions:
Article III - Legislative Department			EXHIBIT B - QUESTIONS
Section 34:	Salaries of Public Officers; change	Article VII - JUDICIARY DEPARTMENT	
		Section.	
C. The Committee on Legislative Powers and Functions requests that the Coordinating Committee appoint a subcommittee composed of its members and one or all of the appropriate committee with respect to the following:		46.	Justice of the peace wards; number; reduction; abolition of office
Article III - Legislative Department		47.	Juristics; qualifications; election; term of office
§ 36	Arbitration laws (Coordinate with Education and Welfare)	48.	Jurisdiction
Article IV - Limitations		49.	Constables; election; term of office; qualifications
§ 14	State educational or charitable institutions; establishment; vote (Coordinate with Education and Welfare)	50.	Fees; salaries
§ 15	Ex post facto laws; impairment of contracts; vested rights; just compensation (Coordinate with Bill of Rights)	51.	Justice of the peace courts; city courts
§ 17	Legislative approval of bond issuance and appropriation by the Board of Liquidation; procedure; nullity of issue for failure to observe (Coordinate with Revenue and Taxation)	51 (a).	Parish courts; Jefferson Parish
	CC-18	53.	Famil. court for Parish of East Baton Rouge
		65.	Establishment of office; election; ex-Officio tax collectors; bonds; discharge as collector
Article V - Executive Department (Coordinate the following sections with Executive)		69.	Vacancies; appointments; special elections; notices
§ 1	Executive officers; election; term of office		CC-20
§ 2	Governor; Lieutenant Governor; Executive Council; term; election	74.	Compensation of sheriffs and clerks of court
§ 4	Commencement of term of Governor and Lieutenant Governor	75.	Qualifications
§ 12	Appointment of officers; ex-officio appointments	80.	Establishment; composition; compensation; additional sections; assignment of judges
§ 13	Reports to Governor; information and recommendations to legislature	81.	Civil and appellate jurisdiction
Article VII - Judiciary Department (Coordinate the following sections with Judiciary)		82.	Establishment; composition
§ 21	Circuit courts of appeal; domains; number of judges; initial terms	83.	Jurisdiction and powers
§ 34	Rearrangement of districts; change in number of judges	84.	Transfer of cases
§ 52	Juvenile courts; creation; judges; jurisdiction	85.	Stenographers; minute clerks; salaries; deputy sheriffs; judges' vacations and absences
§ 66	Clerks; establishment of offices; duties; powers and duties	86.	Distribution of cases; control; rules
§ 87	Criminal District Court for the Parish of Orleans; change of provisions relating to criminal courts	87.	Change of provisions relating to criminal courts
§ 96	The Juvenile Court for the Parish of Orleans; establishment; jurisdiction; appeal; procedure; judges	88.	Salaries of parish and city officers
Article VIII - Suffrage and Elections		89.	Parish officers; election; continuation of prior law
§ 7	Voting; ballot; machines; viva voce; ratification of Acts 1940 (Coordinate with Bill of Rights)	90.	First city court; judges; terms; salary
Article X - Revenue and Taxation		91.	First city court; jurisdiction; pleaders; authority; procedure; costs; appeals; small claims
		92.	Second city court; jurisdiction; officers; interchange of judges and clerks
		93.	Vacancies; temporary filling by district judges
		94.	New Orleans; municipal and traffic courts; personnel; jurisdiction; appeals
		95.	Source of fund; control and administration; accounting
		96.	Establishment; jurisdiction; appeals; procedure; judges
		97.	Time of election of judges and other parish officers
			CC-21

ARTICLE X - FINANCE AND TAXATION

Sections:

1. Taxing power; specific taxes

Only insofar as said section applies to the evaluation and classification used for state purposes shall the evaluation and classifications for local purposes, etc.

3/4 of severance taxes on timber to be paid to the parish in which the timber is severed and one other provision of this section which effect local government

4. Tax exemptions.

Insofar as it applies to local government

9. Banks, articles out of state; international or foreign banking; tax

Insofar as it applies to 1/2 of the tax to go to the municipality which is a principal office

11. Collection of taxes; tax sales; quantum tax titles; postponement of taxes; loans to parish

Insofar as it pertains to "loans to parishes"

21. Severance tax on natural resources

Insofar as the percentage of proceeds go to parishes

24. Authority for tax relief for manufacturing establishments

ARTICLE XIV - FIREMEN AND MUNICIPAL AFFAIRS

Sections:

15. Civil service systems; states; cities

15.1 Fire and police civil service; municipalities of 13,000 to 250,000

CC-22

ARTICLE XVI - JUDICIARY, DEPT. OF JUSTICE

Sections:

46. Justice of the peace wards; number; reduction; abolition of office

48. Jurisdiction

49. Constables; election; term of office; qualifications

50. Fees; salaries

51. Justice of the peace courts; city courts

51 (a). Parish courts, Jefferson Parish

53. Family court for parish of East Baton Rouge

50. First city courts; judges; terms; salary

91. First city courts; jurisdiction; procedure; authority; procedures to be applied; small claims

92. Second city court; jurisdiction; officers; jurisdiction; judges and clerks

94. New Orleans, municipal and traffic courts; jurisdiction; jurisdiction; appeal

95. Sources of funds; control and administration; jurisdiction

96. Establishments; jurisdiction; appeal; procedure; jurisdiction

97. Time of election of judges and other judicial officers

ARTICLE X - FINANCE AND TAXATION

Sections:

1. Taxing power; specific taxes

Only insofar as said section applies to the evaluation and classification used for state purposes shall the evaluation and classifications for local purposes, etc.

3/4 of severance taxes on timber to be paid to the parish in which the timber is severed and one other provision of this section which effect local government

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4. Tax exemptions

Insofar as it applies to local government

9. Banks, articles out of state; international or foreign banking; tax

Insofar as it applies to 1/2 of the tax to go to the municipality which is a principal office

11. Collection of taxes; tax sales; quantum tax titles; postponement of taxes; loans to parish

21. Severance tax on natural resources

Insofar as the percentage of proceeds go to parishes

24. Authority for tax relief for manufacturing establishments

ARTICLE XIV - FIREMEN AND MUNICIPAL AFFAIRS

Sections:

15. Civil service systems; states; cities

15.1 Fire and police civil service; municipalities of 13,000 to 250,000

CC-24

IV. TRANSITION FROM OLD TO NEW CONSTITUTION

A. Local and Constitutional Institutions

Article III, Section 73

Article IV, Section 24(a)

Article XIV, Section 17

Article XX, Section 1

NOTE: Constitution of Louisiana, 1901, Article III, Section 73, and Article IV, Section 24(a), and Article XIV, Section 17, and Article XX, Section 1.

B. Retirement

Article IV, Section 9

Article XII, Section 23

Article XVIII, Section 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Article XIX, Section 15

NOTE: Constitution of Louisiana, 1901, Article IV, Section 9, and Article XII, Section 23, and Article XVIII, Section 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

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CC/73 Research Staff

Subcommittee on Alternative  
Coordinating Committee

April 10, 1973

Staff Memorandum No. 3

RE: Providing for the orderly transition from the old constitution to the new.

As of June 1966, thirty-six states provided for the orderly transition of government from the old to the new constitution by including a schedule article in the new document. Since it is necessary to have some constitutional authorization for continuity of governmental operations, the election of new officers and for the establishment of new governmental authorities, a schedule article is often a necessary and usual portion of a new constitution. The schedule should be an appendix, in which to gather provisions of a temporary and miscellaneous character related to the instrument in the main only as subservient to its general objects.

However, certain pertinent factors should be considered when drafting a schedule article. This topic is treated in C.J.S. in its section on "Constitutional Law" in the following manner:

"While ordinances and schedules appended to a constitution are considered temporary enactments for the purpose of effecting

a transition from the old government to the new, the provisions thereof, adopted as a part of the constitution, may be equally

binding with it.<sup>1</sup> In those states in which the constitutions themselves must be ratified by the people, the validity of such ordinances depends on their submission to the people and their ratification in due form.<sup>2</sup>

"Generally, a constitutional convention's authority to pass ordinances and give them validity depends on powers conferred on the convention by the law which authorizes their assembly, and where such law does not provide that the convention shall have the power of independent legislation, the validity of convention ordinances depends on their submission and ratification by the people.<sup>3</sup> To the extent that an ordinance has been legally adopted, it is a part of the supreme law of the state, and, within the scope of its meaning, it is beyond the control of the legislature,<sup>4</sup> but it cannot prevail against provisions of the permanent part of the constitution.<sup>5</sup> Also, it must be remembered that such ordinances are usually intended to have only a temporary or transient operation, and therefore, in such cases, the arrangements made by them may be changed by the legislature when duly constituted, under the new constitution.<sup>6</sup>

"The provision of a schedule that all prior laws not inconsistent with the constitution shall continue will ordinarily be given effect,<sup>7</sup> but a statute which is directly contrary to a provision of the constitution is not saved by such schedule provision.<sup>8</sup> However, a suit to enforce a tax lien may be saved from any unconstitutionality by a schedule of the constitution

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providing that all laws inconsistent with the constitution should remain in full force and effect until a specified date, and that all taxes due and owing prior to the adoption of the constitution should continue to be valid as though the constitution had not been adopted."<sup>9</sup>

The following states recently adopted new constitutions and provided for transitional schedules: Alaska (1959), Connecticut (1965), Hawaii (1968), Pennsylvania (1968), Florida (1969), North Carolina (1971), Illinois (1971), and Montana (1972). However, most of these states did not have the unique problem of providing for numerous provisions of the old constitution, if only in statutory form.

Generally, these states' schedule articles provide for the orderly transition from the old constitution to the new. Typical is the recently adopted constitution of Montana. Section 6 of the Schedule article provides for:

- (1) The rights and duties of all public bodies shall remain as if this Constitution had not been adopted with the exception of such changes as are contained in this Constitution. All laws, ordinances, regulations, and rules of court not contrary to, or inconsistent with, the provisions of this Constitution shall remain in force, until they shall expire by their own limitation or shall be altered or repealed pursuant to this Constitution.
- (2) The validity of all public and private bonds, debts, and contracts, and of all suits, actions, and rights of action, shall continue as if no change had taken place.
- (3) All officers filling any office by election or appointment shall continue the duties

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thereof, until the end of the terms to which they were appointed or elected, and until their offices shall have been abolished or their successors selected and qualified in accordance with this

Constitution or laws enacted pursuant thereto.

Alaska, to effect an orderly transition from territorial government to state government, provided in its transitional schedule (Article XV, Section 1) that "All laws in force in the Territory of Alaska on the effective date of this constitution and consistent therewith shall continue in force until they expire by their own limitation, are amended, or repealed."

Hawaii included a similar provision in its constitution of 1950. Article XVI, Section 2, provided that "All laws in force at the time this constitution takes effect and not inconsistent therewith, including, among others, acts of the Congress relating to the lands in the possession, use and control of the Territory of Hawaii, shall be the laws of the state and remain in force, *mutatis mutandis*, until they expire by their own limitation, or are altered or repealed by the legislature."

More pertinent for Louisiana is the schedule provision of Florida, which had excessive statutory material in its 1885 constitution. Article XII, Section 1, provides that the Florida Constitution of 1885 is superseded. However, in Section 10 of the same article, "All provisions of Articles 1 through IV, VII and IX through XX of the Constitution of 1885, as amended, not embraced herein which are not inconsistent with this revision shall become statutes subject to modification or repeal as are other statutes."

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Additional states with excessive statutory material in their constitutions, California, South Carolina, Texas, and Georgia, have not undertaken large-scale revision.

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#### Notes

- 1 - 16 C.J.S. §11 (1956).
- 2 - Ala.--*Ex parte Birmingham, etc.*, 42 So. 118, 145 Ala. 511, 11-12 O.A. P. 686 note 38.
- 3 - Tex.--*Bass v. Albright*, Civ. App., 59 S.W. 2d 891.
- 4 - Okl.--*Corpus Juris Secundum* cited in *Cox v. Oklahoma Tax Commission*, 166 F. 2d 694, 197 Okl. 12.
- 5 - Mo.--*State ex rel. Aquinas Land Co. v. Hostetter*, 79 S.W. 2d 463, 336 Mo. 391.
- 6 - Ala.--*Duke v. Cahaba Nav. Co.*, 10 Ala. 82, 44 Am. D. 472.
- 7 - Okl.--*F.W. Woolworth Co. v. Todd*, 231 P. 2d 681, 204 Okl. 532.
- 8 - Mich.--*Dearborn Tp. v. Dail*, 55 M.W. 2d 201, 334 Mich. 673.
- 9 - Mo.--*Collector of Revenue of Jackson County v. Parcels of Land Encumbered with Delinquent Taxes*, 217 S.W. 2d 83, 362 Mo. 1054.

#### MINUTES

Minutes of the meeting of the Coordinating Committee of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on April 26, 1973

Senate Lounge, State Capitol,  
Baton Rouge, Louisiana  
Wednesday, May 2, 1973, 10:00 a.m.

Presiding: E. L. Henry, Chairman of the Coordinating Committee

Present: E. L. Henry  
Tom Staggs  
Gary O'Neill representing  
Senator Cecil Blair  
Judge James L. Dennis  
Chalin O. Perez  
Robert H. Aertker  
Robert Munson representing  
Senator Louis F. Lambert, Jr.

Absent:  
Rep. Alphonse Jackson, Jr.  
Senator B.B. Rayburn

The meeting was called to order by Chairman E. L. Henry at 10:00 a.m. After the announcement of a quorum present, the chairman stated that the purpose of the meeting was to give consideration to the overlapping of subject matter of the 1921 Constitution between the substantive committees of the convention. Mr. Henry stated that this committee's recommendations as to which committee should consider each subject matter, and which subject matters should be coordinated between two or more committees, will be submitted to the committees.

Chairman Henry asked Mrs. Norma Duncan, director of research, to discuss Staff Memorandum No. 2 prepared by the research staff and distributed at this meeting for purposes of its consideration. A copy of Coordinating Committee Staff Memorandum No. 2 is attached to and made a part of these minutes.

The committee considered each listed matter set out in the abovementioned memorandum, and by motions duly offered and passed, either adopted each as suggested or made changes

in the committee recommended to assume responsibility for the matter, as it deemed appropriate. These recommendations are reflected in Coordinating Committee Staff Memorandum No. 3, a copy of which is attached to and made a part of these minutes.

Mr. Aertker offered a motion that, with respect to the matters to be coordinated between two or more committees, each committee give the consideration it deems necessary after which the chairmen of the affected committees meet and coordinate the suggestions of the respective committees. The chairman requested that Mrs. Duncan inform the committee chairmen of subject matters to be coordinated between the various committees and, when each chairman reports to her that his committee has completed its work with respect to a certain subject, that she coordinate the necessary meetings to consolidate the work effort of the subject matter. The motion was unanimously passed, along with full agreement of the chairman's request.

The meeting adjourned at 11:45 a.m.

CC/73 Research Staff

Coordinating Committee

May 2, 1973

Staff Memorandum No. 2

RE: Suggested committee jurisdiction over constitutional provisions presently under consideration by two or more committees

Article and Section	Subject	Committees Presently Considering	Suggested Committee
I,14	Subordination of Military to Civil Power	1) Bill of Rights and Elections 2) Executive Department	Bill of Rights and Elections
II,3	Continuity of Governmental Operations Under Enemy Attack	1) Bill of Rights and Elections 2) Legislative Powers and Functions 3) Executive Department	Legislative Powers and Functions
III,2,3, 4,5,6	Apportionment of Legislature	1) Legislative Powers and Functions 2) Bill of Rights and Elections (affected)	Legislative Powers and Functions
III,8	Special Elections to Fill Legislative Vacancies (Governor to Call)	1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
III, 8.2	Veto Sessions	1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions
III, 9, 10	Qualifications, Residence Requirements, Term, Election, Procedural Rules, Discipline	1) Legislative Powers and Functions 2) Bill of Rights and Elections	Legislative Powers and Functions
III, 26	Signing of Bills; Delivery to Governor	1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions
III, 27	Effective Date of Laws; Publication	1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions
III, 30	Sale or Trade of Votes	1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions
III, 32	Purchase of Supplies on Bids; Contracts, Personal Interest, Approval	1) Legislative Powers and Functions 2) Executive Department	Executive Department
III, 32	Merger or Consolidation of Similar Executive and Administrative Offices	1) Legislative Powers and Functions 2) Executive Department	Executive Department
III, 33	Convict Labor, Public Works; Leases	1) Education and Welfare 2) Natural Resources and Environment	Education and Welfare

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
III,34	Salaries of Public Officers; Change	1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions
III,35	Suits against the State; its Agencies and Political Subdivisions	1) Bill of Rights and Elections 2) Legislative Powers and Functions	Legislative Powers and Functions
III,37	Rights of Way; Roads of Necessity; Drainage	1) Bill of Rights and Elections 2) Natural Resources and Environment	Bill of Rights and Elections
III,44	Bond for Milk Processors	1) Legislative Powers and Functions 2) Natural Resources and Environment	Legislative Powers and Functions
IV,1	Appropriations  quarterly accounting	1) Legislative Powers and Functions 2) Executive Department  1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions  Executive Department
IV,1(a) 2(a)	Board of Liquidation of State Debt	1) Legislative Powers and Functions 2) Executive Department 3) Revenue, Finance and Taxation 4) Local and Parochial Government	Revenue, Finance and Taxation



Article and Section	Subject	Committees Presently Considering	Suggested Committee
IV, 2	Public Debt, Alienation of Public Lands, Mineral Rights, Royalty Road Fund	1) Natural Resources and Environment 2) Local and Parochial Government 3) Revenue, Finance and Taxation 4) Legislative Powers and Functions	Coordinate: Natural Resources and Environment - Local and Parochial Government - Revenue, Finance and Taxation
IV, 4	Local and Special Laws on Various Subjects	1) Local and Parochial Government 2) Natural Resources and Environment 3) Education and Welfare 4) Legislative Powers and Functions 5) Revenue, Finance and Taxation	
	Elections		Bill of Rights and Elections
	Changing the names of Persons		Judiciary Department
	Changing the venue in civil or criminal cases		Judiciary Department
	Authorizing closing, altering or maintaining roads, highways, streets or alleys, etc.		Local and Parochial Government

<u>Article and Section</u>	<u>Subject</u>	<u>Committee Presently Considering</u>	<u>Suggested Committee</u>
IV, 4 (cont'd)	Adoption or legitimization of children etc.		Judiciary Department
	Granting divorces		Judiciary Department
	Changing law of descent or succession		Judiciary Department
	Affecting the estates of minors etc.		Judiciary Department
	Remitting fines, penalties and forfeitures, etc.		Revenue, Finance and Taxation
	Authorizing constructing of street passenger railroads etc.		Local and Parochial Government
	Regulating labor, etc.		Education and Welfare
	Creating corporations, etc.		Legislative Powers and Functions
	Creating municipal corporations having a population of not less than twenty-five hundred inhabitants, etc.		Local and Parochial Government
	Granting corporation special right, privilege or immunity		Legislative Powers and Functions
	Extending the time for the assessment or collection of taxes, etc.		Revenue, Finance and Taxation

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
IV, 4 (cont'd)	Regulating the practice or jurisdiction of any court, etc.		Judiciary Department
	Exempting property from taxation		Revenue, Finance and Taxation
	Fixing the rate of interest		Education and Welfare
	Concerning any civil or criminal actions		Judiciary Department
	Wills or deeds, or illegal disposition of property		Judiciary Department
	Management of public schools, etc.		Education and Welfare
	Legalizing the unauthorized or invalid acts of any officer, etc.		Legislative Powers and Functions
IV, 7	Wages, Hours, Working Conditions	1) Bill of Rights and Elections 2) Education and Welfare 3) Natural Resources and Environment	Education and Welfare
IV, 8	Public Funds, Prohibited Expenditures	1) Bill of Rights and Elections 2) Education and Welfare 3) Revenue, Finance and Taxation	Revenue, Finance and Taxation

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
IV, 11	Appropriations Bill	1) Education and Welfare 2) Revenue, Finance and Taxation 3) Legislative Powers and Functions 4) Executive Department	Legislative Powers and Functions
IV, 12	Loan or Pledge of Public Credit	1) Revenue, Finance and Taxation 2) Bill of Rights and Elections 3) Natural Resources and Environment 4) Education and Welfare 5) Local and Parochial Government	Coordinate: Revenue, Finance and Taxation - Local and Parochial Government
IV, 12(b)	State Market Commission; Guaranteed Loans	1) Legislative Powers and Functions 2) Executive Department 3) Natural Resources and Environment	Executive Department
IV, 12(c)	Commissioner of Agriculture; Guaranteed Loans; Farm Youth Organizations	1) Legislative Powers and Functions 2) Executive Department 3) Natural Resources and Environment	Executive Department
IV, 14	State Educational and Charitable Institutions; Establishment; Vote	1) Education and Welfare 2) Bill of Rights and Elections	Education and Welfare

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
IV, 16	Forced Heirship, Adoption, Trusts	1) Education and Welfare 2) Bill of Rights and Elections	Judiciary Department
V, 1	Executive Officers	1) Executive Department 2) Bill of Rights and Elections 3) Natural Resources and Environment	Executive Department
V, 2, 3	Governor, Lieutenant Governor, Executive Power, Term, Election	1) Executive Department 2) Bill of Rights and Elections	Executive Department
V, 8, 9	Lieutenant Governor, President of Senate	1) Executive Department 2) Legislative Powers and Functions	Legislative Powers and Functions
V, 11	Appointment of Officers	1) Legislative Powers and Functions 2) Executive Department	Executive Department
V, 14, 15	Governor, Extraordinary Session, Restriction on Power to Legislate, Veto by Governor	1) Executive Department 2) Legislative Powers and Functions	Coordinate: Executive Department - Legislative
V, 16	Item Veto, Appropriation Bills	1) Revenue, Finance and Taxation 2) Legislative Powers and Functions 3) Executive Department	Executive Department

Article and Section	Subject	Committees Presently Considering	Suggested Committee
V, 17	Acts Not Requiring Governor's Signature	1) Executive Department 2) Legislative Powers and Functions	Legislative Powers and Functions
V, 18	Constitutional Officers, Election, Terms, Vacancies	1) Executive Department 2) Natural Resources and Environment 3) Bill of Rights and Elections	Executive Department
V, 20	Salaries of Constitutional Officers	1) Natural Resources and Environment 2) Executive Department	Executive Department
VI, 1	Wildlife and Fisheries Commission	1) Executive Department 2) Natural Resources and Environment	Coordinate: Executive Department - Natural Resources and Environment
VI, 3-9	Public Service Commission	1) Executive Department 2) Bill of Rights and Elections 3) Education and Welfare 4) Natural Resources and Environment	Education and Welfare
VI, 11	Boards of Health	1) Executive Department 2) Education and Welfare	Education and Welfare
VI, 11.1	Mosquito Abatement Districts	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
VI,13	Agriculture Department	1) Executive Department 2) Natural Resources and Environment	Executive Department
VI,14	Agriculture and Immigration; Public Policy	1) Education and Welfare 2) Natural Resources and Environment	Natural Resources and Environment
VI,16	Port of New Orleans	1) Revenue, Finance and Taxation 2) Local and Parochial Government 3) Natural Resources and Environment	Revenue, Finance and Taxation
VI,19	State Highways and Bridges Construction and Maintenance; Traffic Regulation; Rights of Parishes, Municipalities and Political Subdivisions	1) Bill of Rights and Elections 2) Executive Department	Executive Department
VI,19.1	Expropriation for Highway Purposes	1) Bill of Rights and Elections 2) Natural Resources and Environment 3) Executive Department	Bill of Rights and Elections
VI,19.3	Beautification of Highways	1) Natural Resources and Environment 2) Education and Welfare 3) Executive Department	Executive Department

Article and Section	Subject	Committees Presently Considering	Suggested Committee
VI, 21- 21.4	Highway Fund	1) Revenue, Finance and Taxation 2) Natural Resources and Environment 3) Executive Department	Revenue, Finance and Taxation
VI, 24	Highway Bonds	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Revenue, Finance and Taxation
VI, 26(2)	Legislative Auditor	1) Revenue, Finance and Taxation 2) Legislative Powers and Functions	Legislative Powers and Functions
VI, 27	Board of Lake Pontchartrain; Causeway	1) Local and Parochial Government 2) Natural Resources and Environment 3) Executive Department	Local and Parochial Government
VI, 28	Liquefied Petroleum Gas Commission	1) Executive Department 2) Natural Resources and Environment	Executive Department
VI, 29, 31, 32, 33, 33.1, 34, 35, 36	Port Commissions	1) Natural Resources and Environment 2) Local and Parochial Government	Local and Parochial Government



Article and Section	Subject	Committees Presently Considering	Suggested Committee
VI-A,5,6, 7,9-12	Gasoline Tax for Parishes; Motor Fuel Tax; Dealers; Importers; Penalties; Exemptions, etc.	1) Executive Department 2) Local and Parochial Government 3) Revenue, Finance and Taxation	Revenue, Finance and Taxation
VII,2	Writs of Habeas Corpus and In Aid of Jurisdiction; Reasons for Refusal	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,6	Divisions; Rotation; Terms	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,7	Limited Terms; Election	1) Judiciary Department 2) Bill of Rights and Elections 3) Executive Department	Judiciary Department
VII,10	Supervisory; Original and Appellate Jurisdiction	1) Judiciary Department 2) Bill of Rights and Elections 3) Revenue, Finance and Taxation	Judiciary Department
VII,22	First Circuit; Domicile	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,23	Second Circuit; Domicile; Sessions	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
VII, 29	Court of Appeals; Jurisdiction	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII, 33	District Courts; District	1) Judiciary Department 2) Bill of Rights and Elections 3) Executive Department	Judiciary Department
VII, 41	Selection of Jurors; Women Jurors	1) Judiciary Department 2) Bill of Rights and Elections	Bill of Rights and Elections
VII, 42	Grand Jury; District Judges; Authority in Criminal Codes	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII, 43	Sessions; Findings of Fact	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII, 44	Waiver of Citation; Confession of Judgment	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII, 45	Change of Venue	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII, 46	Justice of the Peace Wards	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
VII,47	Justices; Qualifications; Election	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,51	Justice of the Peace Courts; City Courts	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,52	Creation; Judges; Jurisdiction	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,55	Department of Justice; Establishment; Composition; Attorney General	1) Judiciary Department 2) Bill of Rights and Elections 3) Executive Department	Judiciary Department
VII,56	Attorney General; Qualifica- tions; Powers and Duties; Vacancies	1) Judiciary Department 2) Executive Department	Judiciary Department
VII,57	Department of Justice	1) Judiciary Department 2) Executive Department	Judiciary Department
VII,58	District Attorney; Establish- ment of Office; Election; Term	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,59	Salary; Qualifications	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
VII,60	Assistant District Attorney	1) Judiciary Department 2) Executive Department	Judiciary Department
VII,62(2)	District Attorneys; Assist- ants; Salary	1) Judiciary Department 2) Education and Welfare	Judiciary Department
VII,65	Sheriffs; Establishment of Office; Election	1) Judiciary Department 2) Bill of Rights and Elections 3) Revenue, Finance and Taxation	Judiciary Department
VII,66	Clerks; Establishment of Office; Election; Powers and Duties	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,69	Vacancies; appointments; Special Elections	1) Judiciary Department 2) Bill of Rights and Elections 3) Legislative Powers and Functions 4) Executive Department 5) Education and Welfare	Judiciary Department
	With Respect to Judge of a District, Juvenile, Family, Parish or City Court, District Attorney, Clerk of a District Court, Registrar of Conveyances, Recorder of Mortgages		
	With Respect to Sheriff; Assessor State Tax Collector		Local and Parochial Government

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
VII,69 (cont'd)	City or Parish School Board  Other Elective Parish Government or Ward Offices Except Justice of Peace and Constable; Elective Municipal Offices  Justice of Peace and Constable		Education and Welfare  Local and Parochial Government
VII,70	Coroners; Establishment of Office; Election; Term	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,71	Coroners; Qualifications; Acting for Sheriff	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII,72	Coroners; Vacancy	1) Judiciary Department 2) Executive Department	Judiciary Department
VII,93	City Courts of New Orleans; Vacancy	1) Judiciary Department 2) Executive Department	Judiciary Department
VIII,13	Residence Requirements for Officials	1) Bill of Rights and Elections 2) Executive Department 3) Education and Welfare	Bill of Rights and Elections
IX,1,2	Impeachment	1) Executive Department 2) Legislative Powers and Functions 3) Judiciary Department	Legislative Powers and Functions

<u>Article and Section</u>	<u>Subject</u>	<u>Committee Presently Considering</u>	<u>Suggested Committee</u>
IX, 4	Judiciary Commission; Removal and Retirement of Judges	1) Judiciary Department 2) Legislative Powers and Functions	Judiciary Department
IX, 6, 7	Removal of Suit	1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions
IX, 8	Suspension, Fiscal Officers	1) Legislative Powers and Functions 2) Revenue, Finance and Taxation 3) Executive Department	Executive Department
IX, 9	Removal, Recall	1) Local and Parochial Government 2) Legislative Powers and Functions	Legislative Powers and Functions
X, 1	Taxing Power; Specific Taxes	1) Revenue, Finance and Taxation 2) Local and Parochial Government 3) Natural Resources and Environment	Revenue, Finance and Taxation
X, 4	Tax Exemptions	1) Natural Resources and Environment 2) Revenue, Finance and Taxation 3) Education and Welfare 4) Local and Parochial Government	

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
X,5,6	Local Taxes	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Coordinate: Revenue, Finance and Taxation - Local and Parochial Government
X,8	Banks, License Tax	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Revenue, Finance and Taxation
X,10, 10A, 10B	Special Local Taxes	1) Local and Parochial Government 2) Education and Welfare 3) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
X,11	Collection of Taxes	1) Revenue, Finance and Taxation 2) Local and Parochial Government 3) Natural Resources and Environment	Revenue, Finance and Taxation
X,13-17	Assessments, Collections	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Revenue, Finance and Taxation
X,21	Severance Tax	1) Revenue, Finance and Taxation 2) Local and Parochial Government 3) Natural Resources and Environment	Revenue, Finance and Taxation

Article and Section	Subject	Committees Presently Considering	Suggested Committee
X, 22	New Industry, Exemption	1) Local and Parochial Government and Welfare 2) Education and Welfare 3) Revenue, Finance and Taxation	Revenue, Finance and Taxation
X, 23	Tax for Nicholls College	1) Local and Parochial Government 2) Education and Welfare 3) Revenue, Finance and Taxation	Revenue, Finance and Taxation
X, 24	Tax Relief for Manufacturing Establishments	1) Education and Welfare 2) Revenue, Finance and Taxation	Revenue, Finance and Taxation
XII, 9	Appropriations; Institutions of Higher Learning	1) Education and Welfare 2) Revenue, Finance and Taxation	Coordinate: Education and Welfare - Revenue, Finance and Taxation
XII, 13	No Appropriation of Public Funds for Private or Sectarian Schools	1) Bill of Rights and Elections 2) Education and Welfare 3) Revenue, Finance and Taxation	Education and Welfare
XII, 14- 16	Funds for Parish Schools; Management; Orleans Parish School Board	1) Revenue, Finance and Taxation 2) Education and Welfare	Coordinate: Revenue, Finance and Taxation - Education and Welfare
XII, 17	LSU; Funds (Mineral Revenues, etc.)	1) Revenue, Finance and Taxation 2) Education and Welfare 3) Natural Resources and Environment	Coordinate: Revenue, Finance and Taxation - Education and Welfare



Article and Section	Subject	Committees Presently Considering	Suggested Committee
XII, 18-20	Sixteenth Section Lands; Free School Funds	1) Revenue, Finance and Taxation 2) Education and Welfare 3) Local and Parochial Government	Coordinate: Revenue, Finance and Taxation - Education and Welfare
XII, 21	A & M College Fund	1) Revenue, Finance and Taxation 2) Education and Welfare 3) Natural Resources and Environment	Coordinate: Revenue, Finance and Taxation- Education and Welfare
XIII, 2-3	Corporations; Stock or Bond Issues; Railroads	1) Legislative Powers and Functions 2) Education and Welfare	Legislative Powers and Functions
XIII, 5	Corporations; Creation by General Laws; Monopolies	1) Legislative Powers and Functions 2) Education and Welfare 3) Bill of Rights and Elections	Legislative Powers and Functions
XIII, 6	Canal and Hydroelectric Development	1) Legislative Powers and Functions 2) Natural Resources and Environment 3) Education and Welfare	Coordinate: Natural Resources and Environment - Education and Welfare
XIII, 7	Perpetual Franchises	1) Legislative Powers and Functions 2) Education and Welfare 3) Bill of Rights and Elections	Legislative Powers and Functions
XIII, 8	Definitions	1) Legislative Powers and Functions 2) Education and Welfare	Legislative Powers and Functions

Article and Section	Subject	Committees Presently Considering	Suggested Committee
XIV, 1	New Parishes	1) Local and Parochial Government 2) Bill of Rights and Elections	Local and Parochial Government
XIV, 2	Change of Parish Lines; Election	1) Local and Parochial Government 2) Bill of Rights and Elections	Local and Parochial Government
XIV, 3	Optional Plans of Parochial Government	1) Local and Parochial Government 2) Bill of Rights and Elections	Local and Parochial Government
XIV, 3(b)	East Baton Rouge Parish; Recreation and Parks Commission	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 3(d)	Parish Charter Commission	1) Local and Parochial Government 2) Bill of Rights and Elections	Local and Parochial Government
XIV, 3(g)	Parish Charter Commission; Duties, Powers, Functions	1) Local and Parochial Government 2) Bill of Rights and Elections	Local and Parochial Government
XIV, 4	Dissolution and Merger of Parishes	1) Local and Parochial Government 2) Bill of Rights and Elections	Local and Parochial Government

Article and Section	Subject	Committees Presently Considering	Suggested Committee
XIV, 5	New or Enlarged Parishes; Adjustment of Assets and Liabilities	1) Local and Parochial Government 2) Bill of Rights and Elections	Local and Parochial Government
XIV, 6	Property for Navigation Canals; Financing	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 7	Withdrawal of Municipality From Parochial Taxing Authority	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 8	Parochial Taxation in Cities and Towns; Limitation	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 10	Municipal Consolidation; Special Taxes	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 11	Parochial Tax Limits	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 12	Municipal Tax Limits	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
XIV,13	City of Shreveport Bonds and Reaffirmed	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV,14	Subdivision of State; Creation; Indebtedness; Bond Issues	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV,15.2	Financial Security for Surviving Spouses and Children	1) Natural Resources and Environment 2) Education and Welfare	Education and Welfare
XIV,16	Servitudes; Public Acquisition by Prescription	1) Local and Parochial Government 2) Natural Resources and Environment	Judiciary Department
XIV,17	State Penal Institutions; Reimbursement of Parish Expense	1) Local and Parochial Government 2) Education and Welfare 3) Revenue, Finance and Taxation	Education and Welfare
XIV,19	Special Tax to Aid Public Utilities; Elections; Qualification of Voters	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV,22(a)	Vieux Carre Commission	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Local and Parochial Government

Article and Section	Subject	Committees Presently Considering	Suggested Committee
XIV, 23.1	New Orleans; Sewerage, Water, and Drainage System; Special Tax	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 23.2	New Orleans; Sewerage, Water, and Drainage System; Special Tax	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 23.3	New Orleans; Sewerage and Water Board; Water Rates; Sinking Fund	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 24	New Orleans; Board of Liquidation of City Debt	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 24.1	Motor Fuel; Local Taxation Prohibited	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 24.2	New Orleans; Sewerage, Water and Drainage Bonds; Authorization	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 24.3	New Orleans; Sewerage, Water and Drainage Bonds	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
XIV, 24.4	New Orleans; Sewerage, Water and Drainage Bonds; Funds for Payment	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 24.5	New Orleans; Sewerage and Water Bonds; Taxes	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local and Parochial Government - Revenue, Finance and Taxation
XIV, 29	Zoning Ordinances	1) Local and Parochial Government 2) Education and Welfare	Local and Parochial Government
XIV, 29.1	Parish Industrial Areas	1) Local and Parochial Government 2) Education and Welfare	Local and Parochial Government
XIV, 30	Improvements by Riparian Owners; Expropriation; Just Compensation	1) Local and Parochial Government 2) Natural Resources and Environment 3) Bill of Rights and Elections	Bill of Rights and Elections
XIV, 30.1	Port, Harbor and Terminal Districts; Creation as Political Subdivisions	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 30.2	Lake Charles Harbor and Terminal District; Ratification	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
XIV, 30.3	Navigation and River Improvement Districts; Creation as Political Subdivisions	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 30.4	Navigation and River Improvement Districts; Effect on Levee Boards	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 30.5	Red River Waterway	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 31	Port, Harbor and Terminal Districts; Creation as Political Subdivisions	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 31.7	New Orleans; Vehicular and/or Pedestrian Crossing Over or Under Inner-Harbor Navigation Canal	1) Local and Parochial Government 2) Executive Department	Local and Parochial Government
XIV, 34	Garbage Districts	1) Local and Parochial Government 2) Natural Resources	Local and Parochial Government
XIV, 36	Jefferson Parish; Community Center and Playground Districts; Bonds	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
XIV, 38	Jefferson Parish; Public Improvement Districts; Levee Systems; Indebtedness; Bonds	1) Local and Parochial Government 2) Natural Resources and Environment 3) Executive Department	Local and Parochial Government
XIV, 38.1	St. Charles Parish; Reclamation Projects by Public Improvement Districts	1) Local and Parochial Government 2) Natural Resources and Environment 3) Executive Department	Local and Parochial Government
XIV, 39	City of Lake Charles; Reclamation and Development of Lake Front	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 39.1	Calcasieu Parish; Community Center and Playground Districts; Bond Issue	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 40	Municipalities; Charters and Parishes; Home Rule	1) Local and Parochial Government 2) Bill of Rights and Elections	Local and Parochial Government
XIV, 44	City of Lake Charles; Reclamation and Development of Lake Bed and Waterfront	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government



Article and Section	Subject	Committees Presently Considering	Suggested Committee
XIV, 44.1	City of Lake Charles; Reclamation and Development of Lake Front; Acquisition of Property; Bonds	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 47	Louisiana Stadium and Exposition District	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XV, 1-4	Drainage Districts	1) Revenue, Finance and Taxation 2) Natural Resources and Environment 3) Local and Parochial Government	Local and Parochial Government
XVI, 1	Levee System; Maintenance State Tax	1) Revenue, Finance and Taxation 2) Natural Resources and Environment 3) Local and Parochial Government	Local and Parochial Government
XVI, 2, 3	Taxes and Bond Issues	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Coordinate: Revenue, Finance and Taxation - Local and Parochial Government
XVI, 4-6	Interstate Levee Districts; Cooperation with Federal Government; Levee Appropriation	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Local and Parochial Government

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Suggested Committee</u>
XVI, 7	Orleans Levee District	1) Education and Welfare 2) Natural Resources and Environment 3) Local and Parochial Government 4) Revenue, Finance and Taxation	Local and Parochial Government
XVI, 8, 8(a)	Pontchartrain Levee District	1) Executive Department 2) Natural Resources and Environment 3) Local and Parochial Government 4) Revenue, Finance and Taxation	Local and Parochial Government
XVIII, 3, 4, 6, 8	Confederate Veterans; Civil War Memorials; Confederate Memorial Medical Center	1) Education and Welfare 2) Executive Department	Executive Department
XIX, 8	Gambling; Futures of Agricultural Products; Lotteries	1) Bill of Rights and Elections 2) Natural Resources and Environment	Legislative Powers and Functions
XIX, 12	Bribes; Offering or Receiving; Disqualification from Office	1) Bill of Rights and Elections 2) Legislative Powers and Functions	Bill of Rights and Elections
XIX, 13	Bribes; Self-Incrimination; Immunity	1) Bill of Rights and Elections 2) Legislative Powers and Functions	Bill of Rights and Elections

Article and Section	Subject	Committees	
		Presently Considering	Suggested Committee
XIX,14	Monopolies; Trusts, etc.	1) Bill of Rights and Elections 2) Education and Welfare 3) Natural Resources and Environment 4) Executive Department	Legislative Powers and Functions
XIX,15	Passes, Franking Privilege; Penalties	1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions
XIX,16	Prescription Against State	1) Bill of Rights and Elections 2) Natural Resources and Environment	Judiciary Department
XIX,18	Police Power	1) Executive Department 2) Bill of Rights and Elections 3) Legislative Powers and Functions	Executive Department
XIX,26	Special Agencies of State; Withdrawal of Consent to Suits	1) Bill of Rights and Elections 2) Executive Department 3) Legislative Powers and Functions	Legislative Powers and Functions
XIX, 27	Governmental Ethics	1) Bill of Rights and Elections 2) Executive Department 3) Legislative Powers and Functions	Executive Department



May 14, 1973

TO: Chairman of the Substantive Committees of the Constitutional Convention

Gentlemen:

Several errors have been found in Coordinating Committee Staff Memorandum No. 3 which was mailed to you last week. This Staff Memorandum presented the recommendations of the Coordinating Committee as to committee jurisdiction over constitutional provisions under consideration by two or more substantive committees of the convention.

Please make the following corrections in the last column ("Committee or Committees To Assume Responsibility") of your copy of Staff Memorandum No. 3:

Article III, Section 37, on page CC-3: strike out "Bill of Rights and Elections" in the last column and insert in lieu thereof: "Coordinate: Bill of Rights and Elections and Local and Parochial Government"

Article IV, Section 4, on page CC-4, it was determined that the Committee on Legislative Powers and Functions would assume responsibility for preparation of the section, but any substantive committee having interest in any provision thereof may propose a provision prohibiting enactment of local or special laws in such area.

Article VI, Section 16, on page CC-10, relating to the Port of New Orleans: In the last column, strike out the words "Natural Resources & Environment" and insert in lieu thereof "Local and Parochial Government"

Article VI, Section 19.1, on page CC-10, relating to expropriation for highway purposes: In the last column strike out "Bill of Rights and Elections" and insert in lieu thereof: "Coordinate: Bill of Rights and Elections and Executive Department"

We regret the above errors in the Memorandum and hope your committee consideration is not thereby deterred.

Kindest regards,

*Norma M. Duncan*  
Norma M. Duncan  
Director of Research

NND:kb



May 3, 1973

TO: Chairman of Substantive Committees

FROM: Norma M. Duncan, Director of Research

Gentlemen:

The Coordinating Committee at its meeting of Wednesday, May 2, 1973 considered the various sections of the Constitution of 1921 which more than one substantive committee previously indicated they planned to consider.

The committee's determinations as to the committee which should assume sole or primary responsibility in each instance is indicated in the enclosed Staff Memorandum No. 3. Also indicated are various provisions which the committee believes must be considered by more than one committee, with coordination between the committees after each has had an opportunity to consider all or that portion of the section relating to matter within its jurisdiction.

It was recommended that, following consideration by any committee which is to coordinate subject matter with another committee, the chairman contact me. I then will be glad to assist in the coordination effort after consulting with the chairmen in order to fix a date for a joint meeting of the committees affected.

I will look forward to hearing from each of you as you approach the time for setting up a meeting date for necessary joint committee meetings.

Cordially yours,

*Norma M. Duncan*  
Norma M. Duncan  
Director of Research

NND:kb

Enclosure

#### NOTES

Coordinating Committee Staff Memo No. 3, May 2, 1973, reproduces Staff Memo No. 2 except as reproduced below reflecting determinations by the Committee.

Article and Section	<u>Subject</u>	Committees <u>Presently Considering</u>	<u>Committee or Com- mittees To Assume Responsibility</u>
IV, 11	Appropriations Bill	1) Education and Welfare 2) Revenue, Finance and Taxation 3) Legislative Powers and Functions 4) Executive Department	Legislative Powers and Functions
IV, 12	Loan or Pledge of Public Credit	1) Revenue, Finance and Taxation 2) Bill of Rights and Elections 3) Natural Resources and Environment 4) Education and Welfare 5) Local and Parochial Government	<u>Coordinate:</u> Revenue, Finance and Taxation, and Local & Parochial Government
IV, 12(b)	State Market Commission; Guaranteed Loans	1) Legislative Powers and Functions 2) Executive Department 3) Natural Resources and Environment	<u>Coordinate:</u> Executive Department, and Natural Resources & Environment
IV, 12(c)	Commissioner of Agriculture; Guaranteed Loans; Farm Youth Organizations	1) Legislative Powers and Functions 2) Executive Department 3) Natural Resources and Environment	<u>Coordinate:</u> Executive Department, and Natural Resources & Environment
IV, 14	State Educational and Charitable Institutions; Establishment; Vote	1) Education and Welfare 2) Bill of Rights and Elections	Education and Welfare

Article and Section	Subject	Committees Presently Considering	Committee or Com- mittees To Assume Responsibility
V,17	Acts Not Requiring Govern- or's Signature	1) Executive Department 2) Legislative Powers and Functions	Legislative Powers and Functions
V,18	Constitutional Officers, Election, Terms, Vacan- cies	1) Executive Department 2) Natural Resources and Environment 3) Bill of Rights and Elections	Executive Department
V,20	Salaries of Constitutional Officers	1) Natural Resources and Environment 2) Executive Department	Executive Department
VI,1	Wildlife and Fisheries Commission	1) Executive Department 2) Natural Resources and Environment	Coordinate: Executive Department and Natural Resources & Environment
VI,3-9	Public Service Commission	1) Executive Department 2) Bill of Rights and Elections 3) Education and Welfare 4) Natural Resources and Environment	Coordinate: Natural Resources & Environment and Exec- utive Department
VI,11	Boards of Health	1) Executive Department 2) Education and Welfare	Education and Welfare
VI,11.1.1	Mosquito Abatement Districts	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government

Article and Section	<u>Subject</u>	Committees <u>Presently Considering</u>	Committee or Com- mittees To Assume <u>Responsibility</u>
VI,13	Agriculture Department	1) Executive Department 2) Natural Resources and Environment	Coordinate: Executive Department, and Natural Resources & Environment
VI,14	Agriculture and Immigration; Public Policy	1) Education and Welfare 2) Natural Resources and Environment	Natural Resources and Environment
VI,16	Port of New Orleans	1) Revenue, Finance and Taxation 2) Local and Parochial Government 3) Natural Resources and Environment	Coordinate: Revenue, Finance & Taxation, and <del>Natural</del> <del>Resources &amp; Environment</del> <i>Mont. Local &amp; Parochial</i> <i>Govt.</i>
VI,19	State Highways and Bridges Construction and Mainte- nance; Traffic Regulation; Rights of Parishes, Munic- ipalities and Political Subdivisions	1) Bill of Rights and Elections 2) Executive Department	Executive Department
VI,19.1	Expropriation for Highway Purposes	1) Bill of Rights and Elections 2) Natural Resources and Environment 3) Executive Department	Bill of Rights and Elections
VI,19.3	Beautification of Highways	1) Natural Resources and Environment 2) Education and Welfare 3) Executive Department	Coordinate: Executive Department, and Natural Resources & Environment

Article and Section	Subject	Committees Presently Considering	Committee or Com- mittees To Assume Responsibility
VII, 60	Assistant District Attorney	1) Judiciary Department 2) Executive Department	Judiciary Department
VII, 62(2)	District Attorneys; Assist- ants; Salary	1) Judiciary Department 2) Education and Welfare	Judiciary Department
VII, 65	Sheriffs; Establishment of Office; Election	1) Judiciary Department 2) Bill of Rights and Elections 3) Revenue, Finance and Taxation	Judiciary Department
VII, 66	Clerks; Establishment of Office; Election; Powers and Duties	1) Judiciary Department 2) Bill of Rights and Elections	Judiciary Department
VII, 69	Vacancies; Appointments; Special Elections	1) Judiciary Department 2) Bill of Rights and Elections 3) Legislative Powers and Functions 4) Executive Department 5) Education and Welfare	Judiciary Department
	With Respect to Judge of a District, Juvenile, Family, Parish or City Court, District Attorney, Clerk of a District Court, Registrar of Con- veyances, Recorder of Mortgages		
	Sheriff		Coordinate: Local & Parochial Government and Judiciary
	Assessor; State Tax Col- lector		Local and Parochial Government



Article and Section	Subject	Committees Presently Considering	Committee or Com- mittees To Assume Responsibility
VII,69 (Contd)	City or Parish School Board		Education and Welfare
	Other Elective Parish Gov- ernment or Ward Offices		Local and Parochial Government
	Except Justice of Peace and Constable; Elective Muni- cipal Offices		
	Justice of Peace and Constable		Coordinate: Judiciary Department, and Local & Parochial Government
VII,70	Coroners; Establishment of Office; Election; Term	1) Judiciary Department 2) Bill of Rights and Elections	Coordinate: Judiciary Department, and Local & Parochial Government
VII,71	Coroners; Qualifications; Acting for Sheriff	1) Judiciary Department 2) Bill of Rights and Elections	Coordinate: Judiciary Department, and Local & Parochial Government
VII,72	Coroners; Vacancy	1) Judiciary Department 2) Executive Department	Coordinate: Judiciary Department, and Local & Parochial Government
VII,93	City Courts of New Orleans; Vacancy	1) Judiciary Department 2) Executive Department	Judiciary Department
VIII,13	Residence Requirements for Officials	1) Bill of Rights and Elections 2) Executive Department 3) Education and Welfare	Bill of Rights and Elections
IX,1,2	Impeachment	1) Executive Department 2) Legislative Powers and Functions 3) Judiciary Department	Legislative Powers and Functions

<u>Article and Section</u>	<u>Subject</u>	<u>Committee Presently Considering</u>	<u>Committee or Com- mittees To Assume Responsibility</u>
IX, 4	Judiciary Commission; Removal and Retirement of Judges	1) Judiciary Department 2) Legislative Powers and Functions	Judiciary Department
IX, 6, 7	Removal by Suit	1) Legislative Powers and Functions 2) Executive Department	Legislative Powers and Functions
IX, 8	Suspension, Fiscal Officers	1) Legislative Powers and Functions 2) Revenue, Finance and Taxation 3) Executive Department	Executive Department
IX, 9	Removal, Recall	1) Local and Parochial Government 2) Legislative Powers and Functions	<u>Coordinate:</u> Legislative Powers & Functions, and Local & Parochial Government
X, 1	Taxing Power; Specific Taxes	1) Revenue, Finance and Taxation 2) Local and Parochial Government 3) Natural Resources and Environment	Revenue, Finance and Taxation
X, 4	Tax Exemptions	1) Natural Resources and Environment 2) Revenue, Finance and Taxation 3) Education and Welfare 4) Local and Parochial Government	Revenue, Finance and Taxation

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Committee or Committees To Assume Responsibility</u>
X,5,6	Local Taxes	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Coordinate: Revenue, Finance & Taxation, and Local & Parochial Government
X,8	Banks, License Tax	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Revenue, Finance and Taxation
X,10, 10A 10B	Special Local Taxes	1) Local and Parochial Government 2) Education and Welfare 3) Revenue, Finance, and Taxation	Coordinate: Local & Parochial Government, and Revenue, Finance & Taxation
X,11	Collection of Taxes	1) Revenue, Finance and Taxation 2) Local and Parochial Government 3) Natural Resources and Environment	Coordinate: Revenue, Finance & Taxation, and Local & Parochial Government
X,13-17	Assessments, Collections	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Coordinate: Revenue, Finance & Taxation, and Local & Parochial Government
X,21	Severance Tax	1) Revenue, Finance and Taxation 2) Local and Parochial Government 3) Natural Resources and Environment	Revenue, Finance and Taxation

Article and Section	Subject	Committees Presently Considering	Committee or Com- mittees To Assume Responsibility
XIV, 13	City of Shreveport Bonds and Reaffirmed	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local & Parochial Government and Revenue, Finance & Taxation
XIV, 14	Subdivision of State; Creation; Indebtedness; Bond Issues	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local & Parochial Government and Revenue, Finance, & Taxation
XIV, 15.2	Financial Security for Surviving Spouses and Children	1) Natural Resources and Environment 2) Education and Welfare	Education & Welfare
XIV, 16	Servitudes; Public Acquisition by Prescrip- tion	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 17	State Penal Institutions; Reimbursement of Parish Expense	1) Local and Parochial Government 2) Education and Welfare 3) Revenue, Finance and Taxation	Education and Welfare
XIV, 19	Special Tax to Aid Public Utilities; Elections; Qualification of Voters	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local & Parochial Government and Revenue, Finance, & Taxation
XIV, 22(a)	Vieux Carre Commission	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Local and Parochial Government

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Committee or Com- mittees To Assume Responsibility</u>
XIV, 24.4	New Orleans; Sewerage, Water and Drainage Bonds; Funds for Payment	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local & Parochial Government and Revenue, Finance, & Taxation
XIV, 24.5	New Orleans; Sewerage and Water Bonds; Taxes	1) Local and Parochial Government 2) Revenue, Finance and Taxation	Coordinate: Local & Parochial Government and Revenue, Finance, & Taxation
XIV, 29	Zoning Ordinances	1) Local and Parochial Government 2) Education and Welfare	Local and Parochial Government
XIV, 29.1	Parish Industrial Areas	1) Local and Parochial Government 2) Education and Welfare	Local and Parochial Government
XIV, 30	Improvements by Riparian Owners; Expropriation; Just Compensation	1) Local and Parochial Government 2) Natural Resources and Environment 3) Bill of Rights and Elections	Local and Parochial Government
XIV, 30.1	Port, Harbor and Terminal Districts; Creation as Political Subdivisions	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 30.2	Lake Charles Harbor and Terminal District; Ratification	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government

Article and Section	Subject	Committees Presently Considering	Committee or Com- mittees To Assume Responsibility
XIV, 38	Jefferson Parish; Public Improvement Districts; Levee Systems; Indebtedness; Bonds	1) Local and Parochial Government 2) Natural Resources and Environment 3) Executive Department	Local and Parochial Government
XIV, 38.1	St. Charles Parish; Recla- mation Projects by Public Improvement Districts	1) Local and Parochial Government 2) Natural Resources and Environment 3) Executive Department	Coordinate: Local & Parochial Government and Natural Resources & Environment
XIV, 39	City of Lake Charles; Recla- mation and Development of Lake Front	1) Local and Parochial Government 2) Natural Resources and Environment	Coordinate: Local & Parochial Government and Natural Resources & Environment
XIV, 39.1	Calcasieu Parish; Community Center and Playground Districts; Bond Issue	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XIV, 40	Municipalities; Charters and Parishes; Home Rule	1) Local and Parochial Government 2) Bill of Rights and Elections	Local and Parochial Government
XIV, 44	City of Lake Charles; Recla- mation and Development of Lake Bed and Waterfront	1) Local and Parochial Government 2) Natural Resources and Environment	Coordinate: Local & Parochial Government and Natural Resources & Environment

<u>and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Committee or Com- mittees To Assume Responsibility</u>
XIV, 44.1	City of Lake Charles; Recla- mation and Development of Lake Front; Acquisition of Property; Bonds	1) Local and Parochial Government 2) Natural Resources and Environment	Coordinate: Local & Parochial Government and Natural Resources & Environment
XIV, 47	Louisiana Stadium and Exposition District	1) Local and Parochial Government 2) Natural Resources and Environment	Local and Parochial Government
XV, 1-4	Drainage Districts	1) Revenue, Finance and Taxation 2) Natural Resources and Environment 3) Local and Parochial Government	Local and Parochial Government
XVI, 1	Levee System; Maintenance State Tax	1) Revenue, Finance and Taxation 2) Natural Resources and Environment 3) Local and Parochial Government	Local and Parochial Government
XVI, 2, 3	Taxes and Bond Issues	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Coordinate: Revenue, Finance & Taxation and Local & Parochial Government
XVI, 4-6	Interstate Levee Districts; Cooperation with Federal Government; Levee Appro- priation	1) Revenue, Finance and Taxation 2) Local and Parochial Government	Local and Parochial Government

<u>Article and Section</u>	<u>Subject</u>	<u>Committees Presently Considering</u>	<u>Committee or Com- mittees To Assume Responsibility</u>
IV, 9	Retirement; Notice of Intention to Introduce Bills in Legislature		Education and Welfare
XII, 23	Retirement Funds; Teachers; School Employees		Education and Welfare
XVIII, 2, 3, 5, 9, 9.1, 11, 12	Pensions; Veterans; Bonuses, etc.		Education and Welfare
XIX, 25	Retirement Systems; Notice of Intention to Propose Amendment or Change; Publication		Education and Welfare

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## B. Subcommittee Minutes

### 1. Subcommittee on Alternatives

#### MINUTES

Minutes of the meeting of the Subcommittee on Alternatives of the Coordinating Committee of the Constitutional Convention of 1973

Held pursuant to notice given by Chairman Albert Tate, Jr. on March 21, 1973

State Capitol, Baton Rouge, Louisiana  
Monday, April 2, 1973, 6:00 P.M.

Presiding: Albert Tate, Jr., Chairman of the Subcommittee on Alternatives

Present: Camille F. Gravel, Jr.  
R. Gordon Kean  
Edward F. LeBreton, Jr.  
Chalín O. Perez

Others present: Devan D. Daggett  
Norma Duncan

Absent: None

Quorum present

The meeting was called to order by the chairman, Judge Albert Tate, Jr. Judge Tate said that the purpose of the meeting was to hear brief presentations by Mrs. Duncan, Mr. Daggett, and himself, generally outlining proposals suggested to the committee. Judge Tate said that the task of the subcommittee was to look at the present constitution and present proposals to the Coordinating Committee for its consideration.

Mrs. Duncan gave a presentation on the general contents of Staff Memo No. 1, a copy of which is attached hereto and made a part of these minutes.

Mr. Daggett gave a report on alternatives. He feels that there are two basic needs. One is to find a mechanical means to move statutory material that the convention deletes from the constitution into the statutory law, to be effective at the same time that the new constitution goes into effect. Another is to provide a safeguard for this statutory material.

Mrs. Duncan was asked to have her research staff make a study which would identify those items which are obsolete in the present constitution, and also those items in the constitution which are duplicated in the statutory form.

Judge Tate then gave his report on alternatives, a copy of which is attached hereto and made a part of these minutes.

Delegate Mary Jervigon was requested by Judge Tate to speak to the subcommittee on what should happen to matters in the constitution which are purely local in nature. She spoke to the New Orleans city attorney and decided that these matters should remain in the constitution with the provision that they remain enforced in the constitution until acted on by local government.

Mr. Chalín Perez made a proposal that all provisions in the present constitution as statutory material, not in conflict with the new constitution, should be continued until amended

by the legislature.

Mr. LeBreton requested that the research staff study what other states, especially Florida, who have recently passed a constitution, have done to reenact their legislation.

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There being no further business to come before the subcommittee, the meeting adjourned at 8:30 p.m., April 2, 1973.

  
Chairman

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CC/73

Subcommittee on Alternatives  
Coordinating Committee  
April 2, 1973

#### INTERIM REPORT

Subject: Alternatives available to substantive committees with regard to provisions in our present state constitution.

TO: Coordinating Committee, CC/73

FROM: Subcommittee on Alternatives

By resolution of March 7, 1973, the Coordinating Committee established this subcommittee and directed it to report within a month on alternatives available to substantive committees with regard to provisions in our present state constitution.

#### The Problem

The present Louisiana Constitution is more than 700 pages in length. Although some of the material included is obsolete, probably by far the greater proportion represents sound regulation and governmental structure.

Due to the detail of many provisions and the number of detailed enactments included, many critics note that numerous amendments are required, each to be voted upon by the people of the entire state, to accomplish even minor changes needed to keep our organic law current and viable.

This report centers upon the narrow problem of presenting alternatives possible to preserve what is worthwhile in our present state constitution, yet to avoid the necessity of statewide popular vote in the amendment process as to the less fundamental provisions presently contained. The scope of this report does not include changes and new concepts our proposed new constitution may include.

#### Categories of Present Constitutional Provisions

For present purposes, we observe that the present state constitution contains provisions which may be categorized as follows:

(1) Those providing the essential framework of government and essential safeguards for life, liberty, and property regarded universally as appropriate to constitutional enactment subject to change only by vote of the people. The classification of provisions as falling within this category naturally varies with the point of view of the classifier. However, for one example, the 1954 Project for a Louisiana Constitution prepared by the Louisiana State Law Institute contains 74 pages of constitutional text, about one-seventh of the constitutional length of 1954 and about one-tenth of the constitutional length of 1973.

(2) At the other extreme, provisions clearly obsolete. The provisions detailing a state highway system as of 1934, for example, are clearly among these, as are provisions listing salaries, districts, and other minutiae

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subject to legislative changes long since made. Likewise in this category should be placed provisions the delegates may wish to repeal as unnecessary. Estimates vary, but at least one responsible count suggests at least two hundred pages of the present constitution could easily be evaluated as obsolete.

The essential problem however, concerns the disposition of the other two types of provisions continued within our constitution. Most responsible observers feel these should be retained, if only in statutory form. These are:

(3) Those detailed regulations of a narrow area of government included in our constitution because of our unique political history, although in most states regarded as legislative in nature.

The primary example of this is civil service, some 25 pages for state and city civil service, with an additional 25 pages for fire and police civil service. In many states, a general provision listing the fundamental essentials of civil service tenure is included in the constitution, leaving the implementing details to legislation. In Louisiana, however, detailed civil service enactment was included in toto in the constitution to prevent a repetition of the destruction of civil service through a powerful governor and a compliant majority of the legislature.

For similar reasons, this category probably includes the provisions providing detailed regulation of the

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governments of some localities. Home rule enactments are embodied in our present constitution to prevent easy

interference by variable legislative majorities with stable and selfcontrolled government by the localities concerned.

(4) Likewise included in the present state constitution are many provisions, sound in nature, but given constitutional status often for some reason valid only under prior law or past conditions. Some may characterize as of this nature constitutional creation of special types of districts to assure easy bonding or to assure special taxing powers. With the ease of constitutional amendment, it was sometimes easier to prevent attacks upon bonds by creating these units constitutionally rather than legislatively. These are valid enactments which should be preserved, but the question is, can their valid objectives not be assured by legislative status rather than by constitutional status, with the rigidity and difficulty of amendment thereby resulting?

#### Prior Contemplated Approach

The Constitution of 1921 convened the legislature into special session to enact supplementary legislation. Rule 50 of the standing rules of CC/73 creates, among the procedural committees, the Committee on Legislative Liaison and Transition Measures. The function of this committee is to "maintain liaison with the legislative branch and the Louisiana Law Institute and provide for coordination of the transition of subject matter from the Constitution to the appropriate law."

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If no other alternative is adopted by the substantive committees or the Coordinating Committee, the present model will be for each substantive committee to recommend for legislative enactment those provisions of the 1921 constitution which are not proposed to be incorporated into the new constitution but which should be retained. The chief possible drawbacks to this solution, which may be avoided by the alternatives suggested (including the subcommittee's) are:

(1) interests presently protected by the 1921 constitution may be inclined to fight ratification of the new constitution, on the argument that re-enactment of the provisions desired by them is not assured by the recommendation and is only a "maybe" act of the post-ratification legislature; (2) the expense of the special session inevitable necessitated.

#### Further Study Needed; Interim Report

At the meeting of April 2, 1973, the subcommittee decided to request staff research and a staff report before reaching a final conclusion. The report will be on what other states, especially Florida and Alaska, had done with statutory materials deleted from the prior constitution or organic law upon the adoption of a new constitution. The subcommittee decided to meet again upon receiving this report and to defer its final report until then.

#### Alternatives Suggested to Date

With regard to categories 3 and 4 of the provisions

of our present state constitution, the subcommittee has received several suggested alternatives for retaining these substantive provisions, yet avoiding the necessity of

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popular statewide vote in each instance changes are needed in such provisions.

The simplest method proposed to the subcommittee is that there should be a savings article to the new constitution continuing in effect as legislation all provisions of the Constitution of 1921 not inconsistent with the present constitution.

We should additionally comment briefly upon three other alternatives proposed to the subcommittee.

The first, Staff Memorandum No. 1, March 21, 1973, attached as an appendix, is a full theoretical discussion of the problem, including several variables. The primary variable proposed is a three-part constitution, with the functional difference being in the requisite amendment process: Part I requiring vote of the people (and including category 1 provisions above), Part II requiring two-thirds vote of each house of the legislature (and including category 3 provisions above), and Part III requiring amendment only by majority vote of the legislature (and including category 4 provisions above). This model is based on several European constitutions.

The second alternative, the Memorandum of March 16, 1973, from DeVan D. Daggett, Executive Director of the Legislative Council, also attached as an appendix, envisages the present legislature enacting the entire present constitution as statutory law, either at the coming fiscal session or at the special session called for that purpose. Thus,

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the new constitution need contain only what is needed for the fundamental organic law of our state.

#### The Third Alternative

The third proposal would be to submit to the people for simultaneous ratification: (1) The organic body of the new constitution itself, reduced insofar as possible to fundamental provisions, accompanied by (2) Schedule I of quasi-constitutional provisions (being category 3 provisions above), which, incorporated in special sections of the Revised Statutes, may be subsequently amended only by two-thirds vote of each house of the legislature, and (3) Schedule II, being provisions to be incorporated into the Revised Statutes and thereafter subject to legislative amendment (i.e., by majority vote) and to statutory enactment as in the case of all other statutory enactments.

Before proceeding to specific comment upon the mechanics of this model, it might be well to state the basic premise upon which it is based: The power of the people in

constitutional convention is plenary. If the constitution itself may be ratified by vote of the people as organic law, all the more may mere legislation and quasi-constitutional enactments be ratified by vote of the people. While the convention is not necessarily restricted by Act 2 of 1972 creating it, such a proposal is not inconsistent with the Act's authorization that "The convention shall have full authority to frame a new constitution for the state, including such alternative provisions as it deems appropriate, which

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shall be submitted to the electors of the state for their approval or rejection . . . " (Section 4. See also Section 9.)

#### Mechanics of Third Alternative

The mechanics of accomplishing and establishing the effect of these enactments as proposed by the subcommittee is as follows:

An article of the constitution shall provide:

"Provisions of the Constitution of 1921, as amended, shall be retained as quasi-constitutional and legislative enactments and subject to amendment as provided by Schedules I and II appended to this constitution. All others are repealed."

Schedule I shall provide: "The following provisions of the Constitution of 1921, as amended, are retained as hereinafter revised as quasi-constitutional enactments. All legislation in conflict therewith is invalid. These provisions shall be incorporated in the Louisiana Revised Statutes or in subsequent codifications in titles especially identified, and they may not be amended or repealed except by specific reference to title, section number, and subject, and then only by a vote of two-thirds of each house of the legislature."

"The quasi-constitutional enactments so ratified are:

[Note: Here, list by article and section number and full text, with such slight editorial revision as may be necessary.]

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[Further Note: If further safeguard is needed, perhaps advertisement thirty days in advance of the session or, preferably, filing thirty days in advance of notice to amend in the office of the Clerk of the House or of the Secretary of the Senate, might be required.]

[Additional Note: It may well be that some self-destruct provision should be built in, such as that Schedule I provisions exist as quasi-constitutional enactments only for twenty-five years from date of ratification of the constitution, after which they will revert to Schedule II provisions. Also, perhaps some provision should be considered concerning the power of the legislature to add

Schedule I provisions, preferably prohibiting it but perhaps permitting it so as to avoid statewide amendments. A lurking problem is whether an "amendment" is so non-germane as to constitute entirely different legislation rather than that continued as quasi-constitutional.]

Schedule II shall provide: "The following provisions of the Constitution of 1921, as amended, are retained as hereinafter revised and are to be incorporated into the Louisiana Revised Statutes as in the case of legislative acts. They may be amended or repealed by the legislature as in the case of other legislative enactments. In the event of conflict with legislation enacted prior to ratification of this constitution, these provisions shall be construed as subsequent legislation enacted as of the date of ratification of this constitution."

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"The provisions so ratified are:

[Note: Here, list by article and section number and by full text, with such slight editorial revision as may be necessary.]

[Further Note: La.R.S. 251-254 provides for continuous revision of legislative acts as amended by the Louisiana State Law Institute to accomplish their integration into the Revised Statutes. La.R.S. 24:253 notes that the Institute "shall not alter the sense, meaning, or effect of any act of the legislature", and then lists the specific minor editorial changes it may make. La.R.S. 24:251 and 252 are attached in photocopy form in the footnote below.<sup>1</sup> This mechanism has worked well in integrating legislative acts in the Revised Statutes.]

[Final Additional Note: The provisions of the Constitution of 1921 prevail over inconsistent prior legislation. The final sentence of the Schedule II preamble is designed to continue this priority. However, as to subsequent legislation, the Schedule II provisions are construed as in the case of other legislation's modification by subsequent legislation.]

Footnote 1:

Title 24, Sections 251 and 252 provide as follows:

**"§ 251. Continuous revision under supervision of Louisiana State Law Institute**

The Louisiana State Law Institute, as the official advisory law revision commission of the State of Louisiana, shall direct and supervise the continuous revision, clarification and co-ordination of the Louisiana Revised Statutes in a manner not inconsistent with the provisions of this Chapter

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**§ 252. New Legislation; incorporation in Revised Statutes**

At the close of each legislative session the Louisiana State Law Institute shall prepare a printed copy, either for incorporation into the Revised Statutes of 1950 or for a volume to be called "Louisiana Revised Statutes", containing the text of the laws and Revised Statutes of 1950 as they may have been amended, and entitle them from or noting therein, those sections that have been repealed. There shall also be incorporated therein in an appropriate place and classification the text of all new legislation of a general and public nature, necessary to the laws an appropriate Title, Chapter, and Section number, and indicating the source of the legislative acts from which they are taken

The Louisiana State Law Institute shall also prepare and attach to the printer's copy a list, by number and title only, of the local, special and private acts enacted at that session of the legislature "

A suggestion was also made to the subcommittee that a Schedule III might be added to contain purely local matters contained in the Constitution of 1921, and providing that these provisions are continued in effect for five years (or less) until repealed or revised by the local government concerned or by vote of the locality affected.

Conclusion

It is recognized that, in the prevailing view of political scientists, retention of quasi-constitutional provisions as well as of detailed constitutional regulation is disfavored. However, in view of Louisiana's unique political history, and in the interests of ratification of the proposed new constitution, some such expedient as above proposed is necessary if we are to avoid retention of detailed local or special provisions in the constitution, with the consequent need for statewide popular vote on amendments to keep the provisions viable and current.

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We hereby submit this interim report to the Coordinating Committee, pending our final report.

Respectfully submitted,

Subcommittee on Alternatives:

Albert Tate, Jr., Chairman

Camille F. Gravel, Jr., Delegate

R. Gordon Kean, Delegate

Edward F. LeBreton, Jr., Delegate

Chalain O. Perez, Delegate

Norma M. Duncan, Director of Research, CC/73

DeVan D. Daggett, Executive Director, Louisiana Legislative Council

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CC/73 Research Staff  
Subcommittee on Alternatives  
of Coordinating Committee  
March 21, 1973  
Staff Memo No. 1

RE: Tentative proposal, for discussion purposes only for presentation, planning and effort of provisions in the proposed new constitution

This memorandum sets forth a proposal which seeks in essence to formulate a conceptual framework which would be a vehicle for compromise between interests desiring to retain protected or preferential treatment of certain existing constitutional provisions, and interests desiring to reduce, in such areas, the necessity of constitutional amendment, as presently understood, to effect change therein. This proposal aims at achieving this goal by establishing various levels or hierarchies of law, each with separate and increasingly more cumbersome or difficult modes of amendment

or repeal. In this light (in terms of the general amendment process) the proposals differ, not in intent or actual substantive effect, but in conceptualization and terminology.

This proposal contemplates that the constitution presented to the people contain three separate divisions (Parts), levels or hierarchies of law, each "constitutional" in status vis-a-vis statutory law, but varying among themselves as to the amendment process which would be necessary to effect change therein. In particular, provisions of the constitution would be classified as to mode of amendment in one of three separate ways: (a) by amendment in accordance with the method set forth in the Constitution of 1921; (b) by amendment, upon the affirmative vote of two-thirds of the elected members of each house without the necessity of ratification by the people; and, (c) by simple affirmative vote of a majority of the elected membership of each house of the legislature. Classification could be effected in a number of ways, including (1) by division of the constitution into three separate "codes" or "divisions" each with a prescribed mode of amendment; (b) by actual enumeration of each section of the constitution as to its mode of amendment; or, (c) by any number of similar devices.

It is noted that irrespective of the kind of amendment, each provision of the constitution, under this proposal, would be considered as part of the constitution. In this light, all such provisions could take precedence over a statute on the same subject adopted before or after the constitution, despite the fact that such statutes will might be subject to the same (or perhaps greater) requirements for amendment. For example, in the salary of the governor were established in the constitution, with provision for its amendment to be effected in accordance with amendment process (c) above, such constitutional provision would have legal efficacy over a contravening statute, although that statute may have been adopted by the legislature by a two-thirds vote (in accordance with present Const. Art. III, Sec. 34).

This proposal, then, distinguishes itself from other similar proposals which would establish a new body of statutory law as a separate code or separate title or titles of the Revised Statutes with such special statutes amendable only by the modes prescribed in the proposed constitution. It is submitted that this alternative concept may be deemed meritorious for the following reasons:

- (1) It retains a clarity of distinction between statutes

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and constitutional provisions, thereby effecting the established jurisprudential distinctions between such bodies of law as opposed to raising a new and difficult question of judicial distinction between categories of statutes.

- (2) It allows the Convention to stay well within the confines of its authority, that is, to propose a new constitution, and thus avoid the substantial question of the Convention's authority to legislate further directly or by reference.

The primary drawback to the proposal perhaps is in the development and presentation of the concept that the constitution be amended by other than submission to the people or to representative bodies of the people in addition to initiation by the legislature.

The proposal suggested is basically as follows.

## PART I

This portion of the constitution would contain all matter usually contained in a basic, fundamental constitution, being the organic law of the state in which is set forth the fundamental rights and privileges of the people and the basic structure of the state government (and, to the extent deemed desirable, the political subdivisions of the state government).

The provisions contained in the Articles and Sections comprising this Part, which could be officially designated the "Constitution", would be made subject to amendment, repeal or addition in such manner as is stipulated within it. If the pattern

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of the present amending process were followed, change would be effected by propositions to amend, add, repeal, etc., initiated by introduction of bills in the legislature, each could require the affirmative vote of two-thirds of the elected members of each house; would not require the signature of the governor; would require promulgation by the secretary of state prior to submission to the people, and would require submission to the people for adoption or rejection at a state-wide election, either the state general election held every four years or at the congressional elections held in November every two years.

## PART II

This part of the document would contain all provisions of the existing constitution which are deemed to require "protection" against too frequent or too easily accomplished change or repeal. This protection would be assured by a provision included as the first (or perhaps the last) section of Part II which would stipulate in a manner similar to the following:

Section 1. The provisions contained in this Part shall be subject to change or repeal by the legislature without the necessity for submission to a vote of the qualified voters of the state; however, no provision of this Part shall be changed or repealed without the affirmative vote of at least two-thirds of the elected members of the two houses of the legislature, and the bill proposing such change or repeal shall be enacted in the manner provided in Article \_\_\_\_ (III ??) of Part I of this constitution.

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Thus, should the Convention deem it wise to create that provisions such as those pertaining to the Governor, the State Board of New and Old Land, the Civil Service Commission, or other provisions relating to special officers, civil service or other matters can be changed only with the approval of a greater than usual number of the elected representatives of the people, without clearly stipulating in nature, the bill proposed in Part II and perhaps termed "Constitutional Bill" or "Constitutional Code" provisions. Accordingly, they would be part of the constitution and initially would be ratified by the people with the new constitution, but would be more difficult to change hereafter than statutes enacted by majority vote of the legislature, in fact easier to amend than the constitution proper, as contained in Part I.

BOX 44012, CAPITOL STATION  
BATON ROUGE, LOUISIANA 7080  
TELEPHONE: (504) 388 8141

March 16, 1973



REPRESENTATIVE CLAYTON LEACH (R)  
CHAIRMAN

SENATOR THEODORE M. BICKER  
VICE CHAIRMAN

MRS. NORRIS AT DUNCAN  
ASSISTANT DIRECTOR

MEMORANDUM:

March 16, 1973

70: Honorable Albert Tate, Jr., Associate Justice of the Supreme Court of Louisiana and Chairman of the Sub-Committee on the Coordination of the Constitutional Convention of 1973

HONORABLE MEMBERS OF THE SUB-COMMITTEE

FROM: DeVan D. Daggett

Dear Chairman and Members of the Sub-Committee:

For your consideration at your meeting on April 2, 1973, the following material is submitted. In view of the historical development of Louisiana's constitution and in view of the experience of other states which have attempted to amend their constitutions, it is recommended that the State attempt to present one document to the voters of the state with the hope of its being accepted politically unless some means can be devised for alternative proposals or other safeguards for a number of the numerous groups who are opposed to such a change. It is recognized that many varied groups can be reassured that changes in basic law applicable to them cannot be hastily made, there is the probability that they would unite at the polls to defeat any proposed new constitution regardless of its other merits. As a result of the solution of the problems of the State's constitution, I recommend for your consideration the following proposals:

Varianten der folgenden sind denkbar:

ANALYSIS - With the passage of Part II, it became possible that after a state's period of twenty years, the 600th vote requirement for change would no longer have effect, allowing the legislature thereafter to change the provision by majority vote.

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A. The general public can be assured that the present constitution remains intact in statutory law unless the new constitutional proposals specifically provide to the contrary.

8. It would permit the new draft of a new constitution to protect either all or a portion of the existing constitution which is no longer to be included in the new document from too easy change or repeal by the legislature if the succeeding proposals II and III are utilized.

C. If this could be done at the 1973 session of the Legislature, the copy of the printed bill including the entire prior content titulation could be made available to the entire membership of the convention and its staff.

D. An existing statute would then be available as a body of our statutory law for ready amendment at a special session or at the 1974 regular session to conform to the proposed constitution with the effective date of the amendatory acts being conditioned upon the adoption of the new proposed constitution.

Thus the legislature would have acted prior to the vote of the people upon the new constitution so that there can be no speculation as to whether or not the legislature will conform.

11. Article III, Section 16 of the present constitution provides as follows:

Section 16. Every statute enacted by the legislature shall embrace but one object, and shall have a title indicative of its object.

The Legislature may, however, by means of a single statute, enact or revise a system of laws of a general or public nature, such as the general statutes, or a codification of laws on the same general subject matter, or both. Such a statute shall be deemed to embrace but one object and its title need only refer to the general purpose and scope of the statute.

It was the amendment adopted in 1968 to this section which permitted the enactment in 1960 of the revised statutes. In keeping with the previous contents it is suggested that the section might be encompassed in the new constitution with the following additional language:

THAT CODIFICATION OF LAWS ENACTED BY THE LEGISLATURE AND KNOWN AS THE CONSTITUTIONAL LAW ANNULLARIES, EMBODIED IN TITLE 57 OF THE LOUISIANA REVISED STATUTES OF 1950, AND ANY OF THE PROVISIONS THEREIN CONTAINED, MAY BE REVISED, AMENDED OR REPEALED IF BUT MEMBERS ELECTED TO EACH HOUSE THEREOF SHALL CONCUR THEREIN.

*Two-thirds of*

Page 3

III. Article XII of the present constitution should be amended for incorporation in the new document so as to express substantially the following concepts:

Section 1. Propositions for amending this constitution may be made by the legislature at any session of the Legislature.

A. Propositions for amending the following sections of this constitution shall be adopted only upon the majority vote of the electors voting in favor thereof and may be submitted to the electors of the state only if 2/3 of the members elected to each house of the legislature concur therein.

B. The following sections of this constitution may be amended without a vote of the electors of this state provided 2/3 of the members elected to each house of the legislature shall concur therein.

C. The following sections of this constitution may be amended only if propositions therefor have been approved by a majority of the members elected to each house of the legislature and the proposal has been adopted by a majority of the electors voting therein within the affected political subdivision provided further that the legislature shall qualify and designate such proposed amendments and such propositions shall be limited to those which directly affect five or fewer parishes, municipalities, special districts or a combination of any of these.

D. The following articles of this constitution may be amended by the legislature at any session by a majority vote of the legislators elected to each house:

It is contemplated that the Constitutional Convention would designate these articles or sections of the proposed new constitution which would fall into the various categories above set forth. This same designation in the new proposed Article XII or its counterpart would furnish the guideline for the amendment by the legislature at the 1974 regular session or special session of the constitutional ancillaries previously mentioned prior to the election by the voters of this state upon the question of ratification of the proposed new constitution. It is believed that this proposed reclusion, although seemingly cumbersome and contingent upon the cooperation of the legislature, at least does assure a vehicle for procedure with the draft of the new constitution and the enactment into statutory form of such of the statutory type material presently encompassed in the 1921 constitution before the electors of the state are to vote upon the question of ratification. Obviously, any of these proposals will require further drafting and refinement even if the basic concept should seem worthy of further exploration.

Respectfully yours,

*DeVan B. Daggett*

DeVan B. Daggett  
Executive Director

#### MINUTES

Minutes of the Subcommittee on Alternatives  
of the Constitutional Convention of 1973

Held pursuant to notice mailed by the

Secretary of the Convention on April 5, 1973

Committee Room 211, State Capitol

Baton Rouge, Louisiana

Saturday, April 14, 1973

Presiding: Justice Albert Tate, Jr., Chairman of the Subcommittee on Alternatives

#### Present

Albert Tate, Jr.  
Camille F. Gravel, Jr.  
R. Gordon Kean  
Edward F. LeBreton, Jr.  
Chalin O. Perez  
Norma M. Duncan  
DeVan Daggett

#### Absent

None

The subcommittee met to receive and review the staff report on approaches adopted by other states (Staff Memorandum No. 3) and to adopt a final report for submission to the Coordinating Committee. A copy of Staff Memorandum No. 3 is attached hereto and made a part of these minutes as Appendix A.

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After some discussion, the subcommittee adopted unanimously the following motion by Mr. Kean:

That this subcommittee recommend to the Coordinating Committee and to the Committee on Legislative Liaison and Transitional Matters that these committees consider the use of schedules or continuation provisions such as the Florida provision, set forth in Staff Memorandum No. 3, taking into consideration language needed to protect subsequent legislative supplements to the constitution. If approved, then it is recommended that the substantive committees be requested to divide their material in four parts:

1. Substantive, basic constitutional provisions

2. Those provisions of the 1921 Constitution recommended to be:

a. Treated as statutory material, subject to super majority amendment by the legislature and/or by vote of the local electorate;

b. Treated as statutory material to be approved, repealed or modified by a majority vote of the legislature; and

c. Declared obsolete;

and that the question of whether or not these divisions will be treated each as a separate item or section of the constitution or placed in schedules be deferred until a later date.

There being no further business, the subcommittee adjourned sine die at 5:30 p.m.

3

Albert Tate, Jr., Chairman

#### NOTES

Staff Memo No. 3 is reproduced above as an Addendum to Minutes, April 18, 1973.



## II. Miscellaneous Documents

March 28, 1973

TO: The Chairmen of the substantive committees of the Constitutional Convention

FROM: Norma M. Duncan, Director of Research

Gentlemen:

Discussion was had in today's meeting of the Coordinating Committee of the necessity to consider and take indicated action concerning subject matter which appears to fall within the jurisdiction of or is of interest to more than one substantive committee, and also assignment of provisions of the 1921 Constitution which have not been specifically assigned by the Convention Rules.

The pertinent provisions of the Rules are found in

- (1) Rule 49, which provides that "Other provisions that may not be covered by the areas of responsibility shown above (in the specific committee assignment provisions) may be assigned by the Coordinating Committee to the appropriate committee;" and
- (2) Rule 54, which states that the "Coordinating Committee shall consider any issues regarding omissions, overlap and/or conflict which might arise concerning the jurisdiction of any substantive committee or any subject matter; call joint meetings of any substantive committees for the purpose of discussing any omissions, overlap and/or conflict which might arise and make recommendations to the respective substantive committees as to possible resolution thereof."

In order that the Coordinating Committee, at its next meeting, may commence its consideration of matters within these categories, the Chairman requests that you consult with your committee at its next meeting and determine (1) those specific subjects or provisions which you definitely plan to consider as part of the responsibility

March 28, 1973  
Page Two

of your committee; (2) those specific or general subjects included within the compilation of constitutional provisions prepared for your committee which you will not plan to consider; and (3) any provisions of the present constitution which you believe have not to date been specifically assigned to any substantive committee.

It is the Chairman's hope that you can furnish this information to me by April 9th in order that it can be put in order for committee consideration within a short time thereafter.

If I or members of the Research Staff can assist you in this matter, please do not hesitate to contact me or the coordinator for your committee.

Kindest personal regards.

Cordially yours,

*Norma M. Duncan*  
Norma M. Duncan  
Director of Research

ND/ef

MEMORANDUM

April 9, 1973

TO: Norma M. Duncan, Director of Research

FROM: Walter J. Landry, Senior Research Assistant

Dear Mrs. Duncan:

Chairman Alphonse Jackson and the members of the Committee on Bill of Rights and Elections have asked that I respond to your letter of March 28 to Chairman Jackson with reference to the subject-matter jurisdiction of the Committee in relation to the other substantive committees of CC/73.

The Committee on Bill of Rights and Elections definitely plans to consider the following provisions of the 1921 constitution as part of its responsibility:

Preamble

Article I (entire article)

Article II (entire article)

Article III, §§535, 37

Article IV, §§515, 16

Article VI, §§19, 19.1

Article VII

Article VIII (entire article)

Article XII, §13

Article XIV, §30

Article XIX, entire article generally but specifically

§§2, 3, 7, 8, 9, 12, 13, 14, 16, 17, 21, 22, 23, 24, 26, 27

Article XXI (entire article)

The Committee wishes to point out that the following sections of the 1921 constitution may be affected by provisions which it adopts for the new constitution:

Article III, §§2, 3, 4, 6, 9, 10

Article IV, §§7, 8, 12, 14

Article V, §§1, 3, 18

Article VI, §§3, 4, 8, 11

Article VII, §§2, 6, 7, 10, 22, 23, 29, 41, 42, 43, 44, 45, 46, 47, 51,

52, 54, 55, 58, 59, 65, 66, 69, 70, 71

Article XII, §§1, 3, 12

Article XIII, §§5, 7

Article XIV, §§1, 2, 3, 3(d), 3(g), 4, 5, 40

Article XVIII, §7

Article XIX, §18

The above includes all of the constitutional provisions included in the compilation of constitutional provisions prepared for the Committee on Bill of Rights and Elections within its own jurisdiction provisions. The Committee considers that the affected provisions listed fall more properly under the jurisdiction of another

Norma M. Duncan

April 9, 1973

Page 2

substantive committee, but it wishes to alert the substantive committees involved that provisions adopted by the Committee on Bill of Rights and Elections within its own jurisdiction may affect those provisions and in all probability will affect some of them.

Included in the suggested subject matter of the Committee on Bill of Rights and Elections is generally Article XIX (General Provisions). It is suggested that some of the provisions in this article do not seem to fit easily within the jurisdiction of any substantive committee, and they may well be assigned to the Committee on Bill of Rights and Elections which could prepare a general government article to take care of such matters. Distribution of powers and elections, which is within the Committee's jurisdiction, might be included in such an article.

For the convenience of the coordinating committee, attached is a complete Table of Contents of the 1921 constitution as amended with appropriate markings to indicate the provisions to be considered separately and the provisions that might be affected by new provisions adopted by the Committee on Bill of Rights and Elections.

*Walter J. Landry*  
Walter J. Landry

Attachment

cc: Chairman Alphonse Jackson and  
Members of the Committee on Bill of Rights and Elections

\* -- Articles and Sections to be definitely considered by the Committee on Bill of Rights and Elections

A -- Sections that may be affected by proposed new provisions to be prepared by the Committee on Bill of Rights and Elections in its area of responsibility.

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VI

MEMORANDUM

April 13, 1973

TO: Norma M. Duncan, Director of Research

FROM: Walter J. Landry, Senior Research Assistant

VIA: Lee Hargrave, Coordinator

Dear Mrs. Duncan:

In accordance with your request, attached is a Table of Provisions from the 1921 Constitution which the Bill of Rights Committee expects to consider showing the provisions that are:

(1) Obsolete and why -- listed as OBSELETE.

(2) Repeated verbatim in statutes -- listed as VERBATIM with the statute(s) cited in each case.

(3) Repeated in substance in statutes -- listed as SUBSTANCE with the statute(s) cited in each case.

Those provisions to be considered by the committee that do not fit into any category above have been omitted from the table.

Walter J. Landry  
Walter J. Landry

Attachment

### Committee on Bill of Rights and Elections

TABLE OF OBSELETE PROVISIONS, PROVISIONS REPEATED IN SUBSTANCE IN THE STATUTES, AND PROVISIONS REPEATED VERBATIM IN THE STATUTES.

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#### ARTICLE I. BILL OF RIGHTS

- \$ 7 Searches and Seizures: Requirements for Warrant. Substance C.C.P. Art. 162.
- \$ 9 Criminal Prosecutions: Speedy Public Trial; Jury; Venue; Witnesses; Counsel; Indictment and Information; Double Jeopardy. Substance, C.C.P. Arts. 294, 382, 511, 592, 611, 701.
- \$ 10 Criminal Prosecutions: Information as to Accusation; Peremptory Challenges. Substance, C.C.P. Arts. 464, 480, 484, 799.
- \$ 11 Self-incrimination; Confessions. Substance, RS 15:451
- \$ 12 Excessive Bail or Fines; Cruel and Unusual Punishment; Offenses not Bailable. Substance, C.C.P. Arts. 311-343.
- \$ 13 Habeas Corpus; Suspension of Privilege. Substance, C.C.P. Arts. 351-370.
- \$ 14 Subordination of Military to Civil Power. Substance, RS 29:5.

#### ARTICLE II. DISTRIBUTION OF POWERS

- \$ 1 Departments of Government. Substance, RS 42:31.
- \$ 2 Separation of Departmental Powers. Substance, RS 42:31.

#### ARTICLE III. LEGISLATIVE DEPARTMENT

- \$ 35 Suits against the state, its agencies and political subdivisions. Substance, RS 47:1481-86.
- \$ 37 Rights of Way; Roads of Necessity; Drainage. Substance, RS 48:217 and RS 38:1481-1577.

#### ARTICLE IV. LIMITATIONS

- \$ 15 Ex-post Facto Laws; Impairment of Contracts; Vested Rights; Just Compensation. Substance, RS 19:2 and RS 19:9.
- \$ 16 Trusts; forced heirship; abolition prohibited; adopted children. Substance, CC, Art. 1467 et seq. and RS 9:1791 et seq.

#### ARTICLE VI. ADMINISTRATIVE OFFICERS AND BOARDS

- \$ 19 State Highways and Bridges; Construction and Maintenance; Traffic Regulation; Rights of Parishes, Municipalities and Political Subdivisions. Substance, RS 19:15 et seq. and 48:1218 et seq.
- \$ 19.1 Expropriation; Highway Purposes. Substance, RS 19:15 et seq. and 48:1218 et seq.

#### ARTICLE VII. JUDICIARY DEPARTMENT

- \$ 2 Writs of Habeas Corpus and in Aid of Jurisdiction; Reasons for Refusal. Substance, C.C.P. 351-370.

#### ARTICLE VIII. SUFFRAGE AND ELECTIONS

- \$ 1 Right to Vote; Qualifications of Electors; Registration. Obsolete, As To Age, see U. S. Const. Amend. 26; as to constitutional interpretation test, see La. v. U. S., 380 US 145 (1965). Substance, RS 18:31-42.

- \$ 4 Primary Elections; Conventions; Fairness; Qualifications of Voters and Delegates. Substance, RS 18:281-284.
- \$ 5 Denial of Registration; Remedy; Illegal Registration; Removal of Names; Prosecution. Substance, RS 18:138.
- \$ 6 Disqualification from Voting or Holding Office. Substance, RS 18:42.
- \$ 7 Voting; Ballot; Machines; Viva-Voce Ratification of Acts 1840. Substance, RS 18:560, RS 18:739, RS 18:671-74, RS 1161-1196.
- \$ 9 General Election; Time; Presidential and Congressional Elections. Substance, RS 18:544, RS 18:1411.
- \$ 11 Residence; State or Federal Service; Seamen; Students. Substance, RS 18:1071 et seq.
- \$ 12 Election Contests; Trials. Substance, RS 18:1251-52.
- \$ 13 Office Holders; Residence Requirements. Substance, RS 18:42.
- (2)
- \$ 14 Election Returns, Officers Commissioned by Governor. Substance, RS 18:570, RS 18:567(D).
- \$ 15 Ballots; methods of voting; secrecy; independent candidates; statements of candidacy. Substance, RS 18:671 et seq.
- \$ 16 Close of Registration before Election; Transfers; New Voters; Changes of Address in Orleans Parish between First and Second Primaries. Substance, RS 18:73, 18:170.
- \$ 17 Registration. Substance, RS 18:1-261.
- \$ 20 Right to Serve as Commissioner at Polls. Substance, RS 18:555.
- \$ 21 Registration after Moving to Another Precinct. Substance, RS 18:136.
- \$ 22 Absentee Voting. Substance, RS 18:1071 et seq.

#### ARTICLE XII. PUBLIC EDUCATION

- \$ 13 No appropriation of public funds for private or sectarian schools. Substance, (Part), RS 17:153.

#### ARTICLE XIX. GENERAL PROVISIONS

- \$ 2 Seat of Government. Substance, ACT 2 of 1972.
- \$ 3 Treason. Substance, RS 14:113.
- \$ 8 Gambling; Futures of Agricultural Products; Lotteries. Substance, RS 14:90.
- \$ 9 Label; Defense; Jury as Judges of Law and Facts. Substance, RS 14:47-50.
- \$ 12 Bribes; Offering or Receiving; Disqualification from Office. Substance, RS 14:120.
- \$ 13 Bribes; Self Incrimination; Immunity. Substance, RS 14:121.
- \$ 14 Monopolies, Trusts, Combinations or Conspiracies in Restraint of Trade. Substance, RS 51:121-152.
- \$ 17 Contempt of Court. Substance, RS 13:4611 and numerous other references.
- \$ 21 Alien Land Ownership. Obsolete, SEE 25 Tulane L. Rev. 117 (1950).
- \$ 22 Huey P. Long; Birthday a Legal Holiday. Substance, RS 1:55.

(3)

April 13, 1973

TO: Norma M. Duncan, Director of Research

FROM: Committee on Legislative Powers and Functions

In response to your memorandum dated March 28, 1973, the committee has asked that the following reply be made.

The committee reviewed those provisions relative to the legislature which were contained in their compilation and made a determination of the following:

- 1) Those specific subjects or provisions which the committee definitely plans to consider as part of their responsibility (See attachment A).
- 2) Those specific or general subjects included within the compilation of constitutional provisions prepared for the committee which they do not plan to consider as part of their responsibility (See attachment B).

- 3) Those provisions of the present constitution contained in their compilation which the committee believes have not been specifically assigned to any substantive committee are restricted to the provisions of Article XIII dealing with corporations which the committee respectfully requests be assigned to it by the Coordinating Committee.
- 4) Those provisions which the committee feels may well overlap with the responsibilities of other committees and which they believe should be coordinated with those other committees through the establishment of subcommittees composed of delegates from the two or more substantive committees with overlapping responsibilities (See attachment C).

#### Attachment A

#### PROVISIONS THAT WILL BE CONSIDERED

##### Organization - Composition

##### Article III - Legislative Department

- \$ 1 Bicameral legislature
- \$ 2 House of representatives; representation; apportionment; number
- \$ 3 Senatorial districts; new parishes; number of senators
- \$ 4 Senatorial districts; number of senators for each district
- \$ 5 House of representatives; number; apportionment
- \$ 6 Reapportionment; restriction; new parishes
- \$ 8 Annual sessions; general, budgetary and special sessions; duration; bills and joint resolutions; vacancies
- \$ 8.2 Veto sessions
- \$ 9 Qualifications; residence requirements; term
- \$ 10 Judging qualifications, election, and returns; officers; procedural rules; discipline
- \$ 13 Privileges and immunities
- \$ 14 Compensation and mileage
- \$ 19 Quorum; adjournments from day to day; compulsory attendance
- \$ 20 Adjournments; consent of other house
- \$ 29 Personal interest in bills; disclosure; vote
- \$ 30 Sale or trade of votes; purchase of supplies on bids; contracts, personal interest, approval

##### Article V - Executive Department

- \$ 8 Lieutenant Governor; president of senate; vote; president pro tempore
- \$ 9 Lieutenant Governor; vacancy in office
- \$ 11 Appointment of officers

- \$ 14 Governor; execution of laws; extraordinary sessions of legislature; restriction on power to legislate; limitation on time; proclamation and notice

##### Article VI - Administrative Officer and Boards

- \$ 26(2) Legislative auditor

##### Article XIX - General Provisions

- \$ 11 Fiscal officers; discharge prerequisite to other officer; suspension
- \$ 12 Bribes; offering or receiving; disqualification from office
- \$ 13 Bribes; self incrimination; immunity
- \$ 15 Fines, franking privileges or discriminatory rates for public officials; penalties; testimony

##### Powers - Limitations

##### Article II - Distribution of Powers

- \$ 3 Continuity of governmental operations upon enemy attack

##### Article III - Legislative Department

- \$ 32 Merger or consolidation of similar executive and administrative offices
- \$ 34 Salaries of public officers; change
- \$ 35 Suits against the state, its agencies or political subdivisions

\$ 44	Milk manufacturers; pasteurizers and distributors; bond	\$ 27	Effective date of laws; publication
Article IV - Limitations		\$ 28	Clerical officers; contingent expense committee records; audit; unexpended balances
\$ 1	Appropriations; quarterly accounting	\$ 31	Legislative bureau; membership; duties
\$ 1(a)	Board of liquidation of the state debt	Article IV - Limitations	
\$ 2	Public debt; alienation of public lands; reservation of mineral rights; mineral leases	\$ 9	Appropriation bills; form and contents
\$ 4	Local or special laws; prohibited subjects(Only those paragraphs dealing with corporations)	\$ 10	Appropriations; purpose and amount; contingencies
\$ 6	Local or special laws; notice of intention; publication	\$ 11	Appropriations; last five days of session; formalities; extraordinary session
Article IX - Impeachment and Removal from Office		Article V - Executive Department	
-2-		\$ 15	Signature of bills; veto; passage over veto; failure to act
\$ 1	State and district officers; grounds for impeachment	\$ 16	Appropriation bills; veto of items
\$ 2	Impeachment; trial; effect of conviction; other prosecutions; suspension	\$ 17	Acts not requiring Governor's signature; legislative investigations
\$ 3	Removal on address by legislature	Article XIX - General Provisions	
\$ 4	Judiciary Commission; removal or involuntary retirement of judges and justices	\$ 5	Suspension of laws; Vote required for
\$ 6	Removal by suit; officers subject; commencement of suit	-4-	
\$ 7	Removal by suit; citation; appeals; effect; costs and attorney's fee	Attachment B	
\$ 8	Fiscal officers; suspension	PROVISIONS THAT WILL NOT BE CONSIDERED	
\$ 9	Recall	Article III - Legislative Department	
Article XIII - Corporations and Corporate Rights		\$ 33	Convict labor; public works; leases
\$ 2	Stock or bond issues; considerations; fictitious issues	\$ 37	Rights of way; roads of necessity; drainage
\$ 3	Railroads; public highways; crossing; traffic interchange	\$ 39	Code of Criminal Procedure
\$ 5	Creation and regulation by general laws; monopolies	Article IV - Limitations	
\$ 6	Canal and hydro-electric developments; use of state waters; state ownership	\$ 2(a)	Board of liquidation of state debt; bonds; public works
\$ 7	Perpetual franchises or privileges	\$ 3	Extra compensation; claims against state, parish or municipality; unauthorized contracts
\$ 8	Definition	\$ 4	Local or special laws; prohibited subjects(Except for those paragraphs dealing with corporations)
Article XIX - General Provisions		\$ 5	Local or special laws; indirect enactment; repeal
\$ 25	Retirement systems; notice of intention to propose amendment or change; publication	\$ 7	Price of manual labor; wages, hours, and working conditions of women
\$ 26	Special agencies of state; withdrawal of consent to suits	\$ 8	Public funds; prohibited expenditure for sectarian, private, charitable or benevolent purposes; state charities; religious discrimination
\$ 27	Governmental Ethics	\$ 12	Loan or pledge of public credit; relief of destitute; donations; transfers of property; bonds; leasing or health institutions; donation to U.S. for Veterans Hospital
Procedure - Mechanics		\$ 12(a)	Bonds; state indebtedness; Confederate veterans' pensions; reimbursement of general highway fund
Article III - Legislative Department		\$ 12(b)	State market commission; guaranteed loans; agricultural facilities
\$ 7	Style of laws; enacting clause	\$ 12(c)	Commissioner of agriculture and immigration; guaranteed loans; farm youth organizations
\$ 8.1	Passage of bills and joint resolutions, limitations	\$ 13	Release of obligation of state, parish or municipal corporation; taxes on confiscated property
\$ 11	Disrespect, disorderly or contemptuous behavior	\$ 16	Trusts; force heirship; abolition prohibited; adopted children
-3-		\$ 18	Legislation to enable compliance with federal laws and regulations to secure federal aid in capital improvement projects
of nonmember		Article V - Executive Department	
\$ 15	Journals of proceedings	\$ 18	Constitutional officers; elections; terms; vacancies; assistants
\$ 16	Statutes; single object; title; revision or codification	\$ 20	Salaries of constitutional officers; fees; expenses
\$ 17	Revival or amendment of law	Article VI - Administrative Officers and Boards	
\$ 18	System or code of laws; adoption	\$ 19.4	Board of highways; regulation and control of annual budget
\$ 21	Yeas and nays; entry in journal	\$ 22	General highway fund
\$ 22	Revenue bills; origin; amendments	\$ 26(1)	Department of Revenue
\$ 23	Rejected matters; resubmission; consent	\$ 31	Greater Ouachita Port Commission
\$ 24	Bills and codes; procedure for enactment		
\$ 25	Amendments to bills; concurrence; conference committees; voting		
\$ 25.1	Tax measures; amendments; conference committee reports; vote required		
\$ 26	Signing of bills; delivery to Governor		



Article VII - Judiciary Department

- \$ 17 Decisions of supreme court and courts of appeal, reporting and publication; stenographers
  - \$ 69 Vacancies; appointments; special elections; notices
- Article VII - Suffrage and Elections
- \$ 6 Disqualification from voting or holding office; employment
  - \$ 13 Office holders; residence requirements
  - \$ 18 Registrars of voters; board of directors

Article X - Revenue and Taxation

- \$ 3 Rate of state taxation; limitation
- \$ 11 Collection of taxes; tax sales; quieting tax titles; postponement of taxes; loans to parishes

Article XII - Public Education

- \$ 13 Public funds for private or sectarian schools; cooperative regional education

Article XIV - Parochial and Municipal Affairs

- \$ 1 New parishes
- \$ 2 Change of parish lines or removal of seat; election
- \$ 3 Optional plans of parochial government
- \$ 3(b) East Baton Rouge Parish: recreation and park commission
- \$ 3(c) Jefferson Parish: charter commission; plan of government

-2-

- \$ 3(d) Acquisition and financing of sewerage improvements
- \$ 3(d) Parish Charter Commission
- \$ 3(e) St. Bernard Parish; home rule powers; plan of government
- \$ 3(f) St. Charles Parish; charter commission; plan of government
- \$ 3(g) Parish charter commission; its duties, powers, functions and limitations
- \$ 15 Civil service systems; state; cities
- \$ 15.2 Financial security for surviving spouses and children of law enforcement officers in certain cases
- \$ 29 Zoning ordinances
- \$ 30 Improvements by riparian owners in cities over 5,000 or within port of New Orleans; expropriation; just compensation
- \$ 30.2 Lake Charles Harbor and Terminal District; ratification; Board of Commissioners; members, officers, agents and employees
- \$ 40 Municipalities; charters and powers; home rule

Article XVI - Levees

- \$ 1 Levee system; maintenance; board membership; fiscal affairs
- \$ 6 Compensation for property used or destroyed; tax

Article XIX - General Provisions

- \$ 1 Oath of office
- \$ 4 State offices; ineligibility of federal officers or officers of other states; dual office holding
- \$ 6 Performance of duties until successor inducted
- \$ 16 Prescription against state

-3-

Attachment C

PROVISIONS RECOMMENDED FOR SUBCOMMITTEE CONSIDERATION

Article III - Legislative Department

- \$ 36 Arbitration laws(Coordinate with Education and Welfare)

Article IV - Limitations

- \$ 14 State educational or charitable institutions; establishment; vote(Coordinate with Education and Welfare)

- \$ 15 Ex post facto laws; impairment of contracts; vested rights; just compensation(Coordinate with Bill of Rights)
  - \$ 17 Legislative approval of bond issuance and appropriation by the Board of Liquidation; procedure; nullity of issue for failure to observe(Coordinate with Revenue and Taxation)
- Article V - Executive Department(Coordinate the following sections with Executive)
- \$ 1 Executive officers; consolidation of offices
  - \$ 2 Governor; Lieutenant Governor; executive power; term; election
  - \$ 4 Commencement of term of Governor and Lieutenant Governor
  - \$ 12 Appointment of officers; recess appointments
  - \$ 13 Reports to Governor; information and recommendations to legislature
- Article VII - Judiciary Department(Coordinate the following sections with Judiciary)
- \$ 21 Circuit courts of appeal; domicile; number of judges; initial terms
  - \$ 34 Rearrangement of districts; change in number of judges
  - \$ 52 Juvenile court; creation; judges; jurisdiction
  - \$ 66 Clerks; establishment of office; election; powers and duties
  - \$ 87 Criminal District Court for the Parish of Orleans; change of provisions relating to criminal courts
  - \$ 96 The Juvenile Court for the Parish of Orleans; establishment; jurisdiction; appeals; procedure; judges

Article VIII - Suffrage and Elections

- \$ 7 Voting; ballot; machines; viva voce; ratification of Acts 1940(Coordinate with Bill of Rights)

Article X - Revenue and Taxation

- \$ 1(a) State tax, levy or increase in rate; approval by two-thirds of legislature(Coordinate with Revenue and Taxation)

Article XII - Public Education

- \$ 7 Colleges and universities; supervision; coordinating council(Coordinate with Education and Welfare)

Article XVII - Militia

- \$ 3 Adjutant general(Coordinate with Executive)

Article XXI - Amendments to the Constitution(Coordinate the following sections with Bill of Rights)

- \$ 1 Proposals; procedure; approval; proclamation; multiple amendments; numbering
- \$ 1(a) Special elections
- \$ 2 Laws effectuating amendments

-2-

April 13, 1973

TO: Norma M. Duncan, Research Director

FROM: Committee on Legislative Powers and Functions

As per the request of Delegate Kean and the Subcommittee on Alternatives of the Coordinating Committee we have examined the 1921 constitution on those areas to be considered by the Committee on Legislative Powers and Functions.

I. We have determined that the following provisions are obsolete.

A. Those provisions in Article III dealing with reapportionment (Sections 2, 3, and 6) which are based on other than "one-man, one-vote" standards are obsolete because of the Reynolds v. Sims decision.

B. Those provisions in Article III which apportioned the Senate and the House of Representatives (Sections 4 and 5) are

obsolete because of the Bannister v. Davis decision which declared them unconstitutional and subsequently the legislature has enacted statutory apportionment. (R.S. 24:35 and 35.1)

C. The provision in Article III dealing with legislative compensation and mileage (Section 14) is obsolete because the legislature has under authority of Article III, Section 34 increased both the per diem and mileage allowable. (R.S. 24:31)

D. The provision in Article III dealing with the accrual of prescription or peremption prior to January 1, 1962 (Section 35) is obsolete since that section also provides that suit must have

been brought prior to January 1, 1962.

E. The provision in Article III dealing with the drafting of a Code of Criminal Procedure is obsolete since the Code of Criminal Procedure was adopted in 1966.

F. The provision in Article IV dealing with the board of liquidation of state debt found in Section 2(a) is obsolete since a later amendment to the constitution now contained in Article IV, Section 1(a) transferred all power and authority formerly vested in the board of liquidation under Section 2(a) to the board of liquidation created under Section 1(a).

G. The provisions in Article IV dealing with the funding of bonds for the purpose of erecting the state capitol building and to pay the outstanding indebtedness of the state, and L.S.U., to pay the Confederate veterans' pensions and to reimburse the General Highway Fund (Sections 12 and 12-a) are obsolete since the bonds have been paid off.

H. The provision in Article X dealing with the rate of state taxation on property (Section 3) is obsolete since that section was repealed effective January 1, 1973 by the passage of Article X-A, Sections 1-5 which repealed all state ad valorem taxes.

II. We have determined that only one provision to be considered by the Committee on Legislative Powers and Functions is repeated verbatim in the statutes.

The provision in Article XIX dealing with governmental ethics which recites in a preamble a policy and purpose (Section 27, paragraph 1 A, B, and C) is repeated verbatim in the statutes. (R.S. 42:1101)

III. We have determined that the following provisions are repeated in the statutes in substance.

A. The provisions in Article IX dealing with the suspension of a fiscal officer when he is in arrears (Section 8) are repeated in substance in the statutes. (R.S. 42:301)

B. The provisions in Article XVII dealing with the appointment of the adjutant general (Section 3) are repeated in substance in the statutes. (R.S. 29:5)

C. The provisions in Article XIX dealing with eligibility of a fiscal officer for another office (Section 11) are repeated in substance in the statutes. (R.S. 42:34)

D. The provisions of Article XIX dealing with bribes (Section 12) are repeated in substance in the statutes (R.S. 14:118 and 120)

E. The provisions of Article XIX dealing with the immunity granted to an individual who may be compelled to testify involving bribery (Section 13) are repeated in substance in the statutes. (R.S. 14:121)

F. The provisions of Article XIX dealing with appeals of decisions involving governmental ethics (Section 27, paragraph 3C) are repeated in substance in the statutes. (R.S. 42:1121E)

#### MEMORANDUM

TO: E.L. "Bubba" Henry, Chairman  
Coordinating Committee

FROM: Tom Staggs, Chairman  
Committee on the Executive Department

RE: (a) Constitutional provisions to be considered by the Committee on the Executive Department;  
(b) provisions the Committee will not consider;  
(c) provisions to be referred to the Coordinating Committee

The Committee on Executive Department has considered the entirety of the 1921 Louisiana Constitution in search of those provisions which may directly or indirectly relate to the executive department of state government.

In looking at the totality of the document, this Committee has necessarily noted that many sections assigned for study to other substantive committees also affect the operations of the executive branch either as it now exists, or as this Committee has tentatively concluded it should exist. However, rather than being inordinately aggressive in choosing topics for consideration by the Committee on the Executive, thereby duplicating the efforts of the other substantive committees, this Committee has chosen to consider only those articles, sections, and topics listed on Attachment A of this memorandum.

The Committee has decided that it will NOT consider the articles, sections, and topics listed on Attachment B.

The Committee wishes to consider the topics and sections listed on Attachment C, but desires to have these items considered by the Coordinating Committee because of possible conflicts and/or

E. L. "Bubba" Henry  
Page 2

overlap with other substantive committees. The Committee, of course, retains the right to review reports from all committees prior to July 5, 1973, and to consider recommendations from other committees which affect the executive department.

#### ATTACHMENT A

#### CONSTITUTIONAL PROVISIONS WHICH THE COMMITTEE ON THE EXECUTIVE DEPARTMENT WILL CONSIDER\*

Article I. Bill of Rights

Section 14: Military power is subordinate to civil power

Article II. Separation of Powers

Section 3: Continuity of governmental operations upon enemy attack

# Article III. Legislative Department

Section 8:	(Governor to call special elections to fill legislative vacancies)	(In part)
Section 8.2:	Veto sessions	
Section 26:	Signing of bills: delivery to governor	
Section 27:	Effective date of laws; publication	
Section 30:	.....; purchase of supplies on bids; contracts, personal interest, approval	(In part)
Section 32:	Merger or consolidation of similar executive and administrative offices	

Section 13:	Reports to Governor; Information and Recommendations to Legislature
Section 14:	Governor; Execution of Laws; Extraordinary Sessions of Legislature; Restriction on Power to Legislate; Limitation on Time; Proclamation and Notice
Section 15:	Signature of Bills; Veto; Passage over Veto; Failure to Act
Section 16:	Appropriation Bills; Veto of Items
Section 17:	Acts Not Requiring Governors Signature; Legislative Investigations
Section 18:	Constitutional Officers; Election; Term; Vacancy; Assistants
Section 19:	Treasurer; Eligibility to Succeed Self
Section 20:	Salaries of Constitutional Officers; Fees; Expenses
Section 21:	Commissions; Formalities

\* Constitutional section titles are used except where the Committee's jurisdiction extends only to a limited aspect of a section, as indicated by material enclosed in parentheses.

## EC-1

Section 34:	Salaries of public officers; change	(Liason: Committee on Legislature)
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# Article IV. Limitations

Section 1:	Appropriations; quarterly accounting	
Section 1(a):	Board of Liquidation of State Debt	
Section 2(a):	Board of Liquidation of State Debt; bonds; public works	
Section 9:	General Appropriation Bill (Governor's office devises)	(Coordinating Committee)
Section 12(b):	State Market Commission; guaranteed loans; agricultural facilities	
Section 12(c):	Commissioner of Agriculture; guaranteed loans; farm youth organizations	

# Article V. Executive Department

Section 1:	Executive Officers; Consolidation of offices
Section 2:	Governor; Lieutenant Governor; Executive power; Term; Election
Section 3:	Qualifications of Governor and Lieutenant Governor
Section 4:	Commencement of Term of Governor and Lieutenant Governor
Section 5:	Salary of Governor and Lieutenant Governor
Section 6:	Governor; Vacancy; Inability to Act; Succession
Section 7:	Salary of Acting Governor
Section 8:	Lieutenant Governor; President of Senate; Vote; President Pro Tempore

## EC-2

Section 9:	Lieutenant Governor; Vacancy in Office
Section 10:	Reprieves; Pardons; Commutation of Sentences; Remission of Fines and Forfeitures
Section 11:	Appointment of Officers
Section 12:	Appointment of Officers; Recess Appointments

# Article VI. Administrative Offices and Boards

Section 1:	Wildlife and Fisheries Commission; Forestry Commission; Department of Conservation; powers, duties; functions, etc.
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Section 3:	Public Service Commission
Section 4:	Public Service Commission; powers

## EC-3

Section 5:	Public Service Commission; orders; effective date; injunction; review; enforcement; appeals
Section 6:	Public Service Commission; orders; penalties for violation
Section 7:	Public Service Commission; local regulation of utilities; retention or surrender
Section 8:	Public Service Commission districts
Section 9:	Public Service Commission; applicability of laws relating to Railroad Commission
Section 11:	Boards of health; state, parochial and municipal; state health officer
Section 12:	Public Health; practice of healing arts; food and drug regulations
Section 13:	Agriculture; Commissioner to direct department
Section 15:	Fire Marshal
Section 18:	State Bank Commissioner
Section 19:	State highways and bridges; construction and maintenance; traffic regulation; rights of parishes, municipalities and political subdivisions
Section 19.2:	Board of highways; director; powers, duties and functions
Section 19.3:	Beautification of highways; regulation of outdoor advertising and junk yards
Section 19.4:	Board of highways; regulation and control of annual budget
Sections 21, 22, 23, 23.1, 24, 24.1:	(General Highway Fund. Constitutional provisions limit governor's powers over state funds.)
Section 25.1:	Bridges; construction and maintenance

## EC-4

Section 26:	Department of Revenue; Legislative Auditor; State Printing Board
Section 27:	Lake Pontchartrain; sale of submerged lands; islands; Causeway

Section 28:	Liquified Petroleum Gas Commission		Section 5:	State Superintendent of Education	(Coordinating Committee)
Section 39:	(Governor has authority to obtain reports and information from all executive and administrative departments)		Article XIV.	Parochial and Municipal Affairs	
Article VI-A. Gasoline Tax For Ports			Section 31.7:	(Constitutional authority granted to executive agency: Department of Highways authorized to cooperate with and expend funds on New Orleans Inner-Harbor Navigational Canal and New Orleans Port.)	
Section 5:	(Relates to disposition of collections from "gasoline tax for ports", to be expended in part by the Board of Highways, an executive agency.)		Section 38:	(Constitutional authority granted to State Land Office relative to public improvement districts.)	
Sections 6, 7, 9, 10, 11, 12:	(Refers to collection of "gasoline tax for ports" by "Supervisor of Public Accounts", later referred to as "Supervisor of Public Funds.")		Section 38.1(d):	(Duties of State Land Office and Department of Public Works relative to public improvement districts.)	
Article VII. Judiciary Department			Article XVI.	Levees	
Section 7:	(Governor to call special election to fill vacancies on Supreme Court.)	(Coordinating Committee)	Sections 8, 9(a):	(Constitutional functions given to Department of Public Works, including expenditure of public funds.)	
Section 21:	(Governor to call special election to fill vacancies in appellate judgeships.)	(Coordinating Committee)	Article XVII.	Militia	
Section 33:	(Governor to call special election to fill vacancies in district judgeships.)	(Coordinating Committee)	Section 1:	Organization, equipment and discipline	
Section 55:	(Attorney General)	(Coordinating Committee)	Section 2:	Governor; Commander-in-Chief; powers	
Section 56:	(Attorney General)	(Coordinating Committee)	Section 3:	Adjutant General	
Section 57:	(Salaries, Department of Justice)	(Coordinating Committee)	Section 4:	Preservation of records, banners and relics	
EC-5			Article XVIII.	Pensions	
Section 60:	(Assistant District Attorneys to be commissioned by the governor)	(Coordinating Committee)	Section 1:	(Constitutional functions of fiscal agency not under executive control, Board of Liquidation.)	
Section 69:	Vacancies; appointments; special elections; notices (local officers)	(Coordinating Committee)	EC-7		
Section 72:	Vacancy (coroners)	(Coordinating Committee)	Section 4:	Civil War; memorial hall for relics; battlefield markers and monuments	
Section 93:	Vacancies; temporary filling by district judges (Orleans)	(Coordinating Committee)	Section 6:	(Constitutional functions of fiscal agency not under executive control, Board of Liquidation.)	
Article VIII. Suffrage and Elections			Section 8:	Confederate Memorial Medical Center; correctional, charitable and penal institutions; bonds; tax	
Section 13:	Office holders; residence requirements		Article XIX.	General Provisions	
Article IX. Impeachment and Removal from Office			Section 1:	Oath of office	
Section 1:	State and district officers; grounds for impeachment		Section 4:	State Offices; ineligibility of federal officer or officers of other states; dual office holding	
Section 2:	Impeachment; trial; effect of conviction; other prosecutions; suspension		Section 6:	Performance of duties until successor inducted	
Section 3:	Removal on address of Legislature		Section 10:	Salaried officers; fees or perquisites	
Section 6:	Removal by suit; officers subject; commencement of suit.		Section 14:	(Governor to direct injunctions against monopolies in restraint of trade.)	
Section 7:	Removal by suit; citations; appeals; effect; costs and attorney's fee		Section 15:	Passes, franking privileges or discriminatory rates for public officials; penalties; testimony	
Section 8:	Fiscal officers; suspension		Section 18:	Police power	
Section 9:	Recall		Section 27:	(Governmental ethics)	
Article X. Revenue and Taxation			EC-8		
Section 2:	Tax Commission; powers, appointment; terms; salary		ATTACHMENT B		
Article XII. Public Education					

CONSTITUTIONAL PROVISIONS REJECTED BY THE COMMITTEE ON THE EXECUTIVE\*

following constitutional provisions, but will NOT consider them.

Section 65: (Tax collection functions of sheriffs.)

#### Article II. Distribution of Powers

Section 1: Departments of government

Section 2: Separation of departmental powers

#### Article III. Legislative Department

Section 25.1: (2/3 vote of the Legislature necessary to increase taxes)

Section 30: Sale or trade of votes; ..... (In part)

Section 31: Legislative bureau; membership; duties

Section 38: Obsolete (1936 Oil and Gas Code Commission)

Section 39: Code of Criminal Procedure

#### Article IV. Limitations

Section 2: Public debt; alienation of public lands; reservation of mineral rights; mineral leases

Section 2(b): Mineral revenues; minerals beyond three mile limit

Section 2(c): Mineral revenues; payment to general highway fund

Section 2(d): Revenue from tidelands mineral leases; use of

Section 7: Price of manual labor; wages, hours and working conditions of women

Section 8: Public funds; prohibited expenditure for sectarian, charitable or benevolent purposes; state charities; religious discrimination

\* Constitutional section titles are used except where the Committee's jurisdiction extends only to a limited aspect of a section, as indicated by material enclosed in parentheses.  
EC-9

Section 10: (Contingency Appropriations prohibited.)

Section 12: Loan or pledge of public credit; relief of destitute; donations; transfers of property; bonds; leasing of health institutions; donations to U.S. for Veterans Hospital

Section 12-a: Bonds; state indebtedness; Confederate Veterans' pensions; reimbursement of General Highway Fund

Section 14: State educational or charitable institutions; establishment; vote

Section 17: Legislative approval of bond issuance and appropriation by the Board of Liquidation; procedure; nullity of issue for failure to observe

#### Article V. Executive Department

Sections 22 - 30: (Invalid)

#### Article VI. Administrative Officers and Boards

Section 11.1: Mosquito abatement districts

Section 16: (New Orleans Port; governor to give approval for certain borrowing.)

Section 17: (Governor to fill vacancies on New Orleans Port Commission from list of nominees.)

Section 29, 29.3: (Governor to appoint members to Baton Rouge Port Commission.)

Section 31: (Governor to appoint members to Ouachita Port Commission.)

Section 32: (Governor to appoint members to Caddo-Bossier Port Commission.)

#### Article VII. Judiciary Department

Section 8: (Retiring judges to notify governor of retirement)

EC-10

#### Article VIII. Suffrage and Elections

Section 6: (Voting by felons unpardoned by governor, prohibited.)

Section 9: (Date of State General Election)

Section 14: Election returns, officers commissioned by governor

Section 15: Ballots; methods of voting; secrecy; independent candidates; statements of candidacy

Section 18: Registrars of Voters; board of registration

#### Article X. Revenue and Taxation

Section 1(a): (Tax increases and levies subject to 2/3 vote of legislature.)

Section 4(9), (9a): (Homestead Exemptions payable from property tax relief fund.) Obsolete

Section 4(10): (State Board of Commerce. Industry authorized to enter into contracts for new manufacturing industries with governor's approval.)

Section 4(10b): (Revenue Sharing Fund, composed from monies in State General Fund.)

#### Article XI. Homestead Exemption

Section 1: (Homestead Exemptions.)

Section 2: (Homestead Exemptions.)

Section 3: (Homestead Exemptions.)

Section 4: (Homestead Exemptions.)

#### Article XII. Public Education

Section 4: State Board of Education; members; powers and duties

EC-11

Section 6: State Board of Education; control of public schools

Section 7: Colleges and universities; supervision; Coordinating Council

Section 8: Administrative departments; expenditures; legislative control

Section 9: Higher institutions of learning; appropriations

Sections 10, 11: (State Board of Education, powers and duties relative to local systems)

Sections 25, 26: (Constitutional agencies, I.S.U.N.O. and Southern, New Orleans.)

#### Article XIII. Corporations and Corporate Rights

Section 6: (Reference to duties of a "State Board of Engineers".) Obsolete

#### Article XIV. Parochial and Municipal Affairs

Section 15: Civil service system; state; cities; parishes governed jointly with one or more cities under a plan of government

Section 15.1: Fire and Police Civil Service; municipalities of 13,000 to 250,000

Section 15.2: Financial security for surviving spouses and children of law enforcement officers in certain cases

Section 20: (Orleans Parish, Board of Assessors.)

Section 21: (State Tax Collector, City of New Orleans.)

Section 22-A: (Creation of Vieux Carre Commission.)

Section 26: (Constitutional local agency, New Orleans Public Belt Railroad Commission.)

Section 30.2: (Governor appoints members to Lake Charles Harbor & Terminal District.)

EC-12

Sections 45: (Special authorities, outside executive  
47: control, except insofar as governor is  
a member; Sabine River Authority,  
Louisiana Stadium and Exposition District.)

## Article XII. Public Education

Section 5: State Superintendent of Education

## Article XIII. Drainage Districts

EC-14

Section 4: (Governor appoints member to Iatt Lake  
Water Conservation District.)

## Article XIX. General Provisions

Section 10: Salaried officers; Fees and Perquisites

## Article XVI. Levees

Section 1: (Governor to fill vacancies on levee boards.)

Section 7(b): (A state agency under control of governor  
appoints member of Lake Pontchartrain  
sanitary district.)

B. Articles and Sections to be considered in Liaison with  
Committee on the Legislature

## Article XVIII. Pensions

Section 1: Soldier's Home

Section 7: Social Security and Public Welfare

Sections 10, 11, 12, 13: (Duties of certain state agencies regarding  
veterans bonuses; dedication of revenues.)

## Article III. Legislative Department

Section 34: Salaries of Public Officers; change

EC-15

## Article XIX. General Provisions

Section 20: (Duties of Governor and Department of  
Highways relative to New Basin Canal and  
Shell Road.)

Section 26: Special agencies of state; withdrawal of  
consent to suits

## Article XX. Penitentiary

Section 1: (Governor's duties relative to Angola  
Bond issue.)

## Article XXI. Amendments to the Constitution

Section 1: (Governor's duties in proclaiming  
constitutional amendments.)

EC-13



STATE OF LOUISIANA CONSTITUTIONAL CONVENTION OF 1973 STATE CAPITOL, BATON ROUGE, LOUISIANA 70804

E. L. HENRY, CHAIRMAN

April 11, 1973

### MEMORANDUM:

TO: Norma Duncan, Director of Research

FROM: Gene Tarver, Coordinator of Research

RE: Obsolete aspects of constitutional provisions being  
considered by the Committee on the Executive Department

## Article IV. Limitations

Section 2(a): Board of Liquidation of State Debt; bonds; public  
works

Obsolete, by superseding law.

(Later law changed the composition of the Board, see  
Art. IV, Sec. 1(a). The Board of Liquidation is no longer  
a bonding agency; the authorized bond issue has been paid.)

## Article V. Executive Department

Section 5: Salary of Governor and Lieutenant Governor

Obsolete, by statutory change.

(Constitutional salaries, obsolete. Statutory salaries at  
R.S. 49:201,202)

Section 20: Salaries of Constitutional Officers; Fee; Expenses

Obsolete, in part, by statutory change.

(Constitutional salaries, obsolete. Reference to Insurance  
Department "attached to the office of Secretary of State",  
obsolete.)

## Article VI. Administrative Offices and Boards

Section 3: Public Service Commission

Obsolete, in part, by superseding laws.

(References to Railroad Commission and constitutional  
salary, obsolete. Paragraph 2 is now covered by Code of  
Ethics.)

Section 7: Public Service Commission; local regulation of  
utilities; retention or surrender

Obsolete, in part, by language.

(Constitutional provision refers to public utilities "now"  
vested in local governments. Questions of interpretation  
have been concerned with the meaning of "now". . . 1921,  
or presently?)

### ATTACHMENT C

## CONSTITUTIONAL PROVISIONS REQUIRING CONSULTATION WITH OTHER COMMITTEES

A. Articles and sections to be sent to the Coordinating Committee

### Article IV. Limitations

Section 9: Appropriation Bills; form and contents  
(General Appropriation Bill as related  
to Executive Budget)

### Article VII. Judiciary Department

Section 7: (Supreme Court) Initial Terms;  
Election; Expiration of Terms;  
Vacancies; Presiding Justice

Section 21: (Courts of Appeal) Confirmation of  
Courts; Elections; Vacancies

Section 33: (District Courts) District Judges;  
Election; Residence, Training, and  
Experience Qualifications; Bar  
Association Membership

Section 55: (Department of Justice) Establishment;  
Composition; Attorney General, Election  
and Assistants

Section 56: (Department of Justice) Attorney General;  
Qualifications; Powers and Duties; Vacancies

Section 57: (Department of Justice) Salaries

Section 60: (District Attorneys) Assistants

Section 69: (Vacancies) Appointments; Special Elections

Section 72: (Coroners) Vacancy

Section 93: (New Orleans City Courts) Vacancies;  
Temporary Filling by District Judges

**Section 8: Public Service Commission Districts**

Obsolete by later law.

(Public service commission districts were reappropriated by Act 459 of 1972.)

**Section 9: Public Service Commission; application of laws relating to Railroad Commission**

Obsolete, in part, by reference.

(References to the Railroad Commission are obsolete. If the Convention passes a general provision adopting the Revised Statutes, this section will be unnecessary.)

**Section 11: Boards of health; state, parochial and municipal; state health officer**

Obsolete, in part, by statutory change.

(Louisiana State Board of Health and the State Department of Health merged by legislative act into the Health, and Social and Rehabilitation Services Administration, Act 253 of 1972.)

**Section 19: State highways and bridges; construction and maintenance; traffic regulation; rights of parishes, municipalities and political subdivisions**

Obsolete, in part, by law and practice

(Reference to Board of State Engineers is obsolete. Provisions relative to local governments are obsolete by practice)

2

**Article VI (Cont)**

**Sections 21, 22, 23, 23(1), 24, 24.1, 25.1** (General Highway Fund. Constitutional provisions limit governor's powers over state funds.)

Obsolete, in part.

(All authorizations for bonds already issued can be considered obsolete, whether paid out or not; dedicated revenues to support bonds already issued need to be retained; continuation of existing laws can be covered by general provision.)

**Section 26: Department of Revenue; Legislative Auditor; State Printing Board**

Obsolete, in part, by reference.

(References to Supervisor of Public Funds and to the State Printing Board and its functions are obsolete)

**Section 27: Lake Pontchartrain; sale of submerged lands; islands; Causeway**

Obsolete, in part, by expiration of need.

(A Causeway across Lake Pontchartrain is now constructed; no islands were necessary)

**Article VI-A. Gasoline Tax for Ports**

**Sections 6, 7, 9, 10, 11, 12:** (Refers to collection of "gasoline tax for ports" by "Supervisor of Public Accounts" or "Supervisor of Public Funds".)

Obsolete, in part, by references.

(All references to Supervisor of Public Accounts (Public Funds) (Legislative Auditor) should be reviewed for relevancy. The Legislative Auditor, formerly Supervisor of Public Funds, has no tax collecting functions.)

**Article XII. Public Education**

**Section 5: State Superintendent of Education**

Obsolete, in part, by statutory change.

(Constitutional salary replaced by statutory salary.)

3

**Article XIV. Parochial and Municipal Affairs**

**Section 31.7:** (Constitutional authority granted to Department of Highways to cooperate with and expend funds on New Orleans Inner-Harbor Navigational Canal and New Orleans Port.)

Obsolete, in part, by practice.

(The Department of Highways has never exercised authority under this provision, which does not add to the Department's authority granted by other Constitutional provisions.)

**Article XVI. Levees**

**Section 8, 8(a):** (Constitutional functions given to Department of Public Works, including expenditure of public funds)

Obsolete, in part, by reference.

(Provisions authorizing the Department of Public Works to expend funds from a "General Engineering Fund" are obsolete.)

**Article XVIII. Pensions**

**Section 3:** (Constitutional functions of fiscal agency not under executive control, Board of Liquidation)

Obsolete.

(Board of Liquidation is no longer a bonding agency; state property tax repealed.)

**Section 6:** (Constitutional functions of fiscal agency not under executive control, Board of Liquidation)

Obsolete.

(Board of Liquidation no longer a bonding agency; 1940 Confederate Veterans \$900,000 bond issue paid.)

**Section 8:** Confederate Memorial Medical Center; correctional, charitable and penal institutions; bonds; tax

(Board of Liquidation no longer a bonding agency; state property tax repealed.)

4



April 12, 1973

**MEMORANDUM**

TO: Norma M. Duncan  
FROM: Lee Hargrave  
RE: Jurisdiction of the Judiciary Committee

At its last meeting, the Judiciary Committee adopted a proposal specifying what it considered to be within its jurisdiction. That proposal provided:

1. Provisions definitely planned to be considered:

All of Article VII of the 1921 Constitution, except that portion of Section 63 which deals with vacancies in offices not established in Article VII.

Article IX, Section 4, concerning the Judiciary Commission and removal of judges.

Article IX, Sections 1-3, insofar as they deal with removal of officials provided for in Article VII.

2. Provisions not to be considered:

Art. IV, Sec. 4 Prohibition on local or special laws applying to: Change of venue; procedure; jurisdiction and rule of evidence of the courts; any civil or criminal actions.

Art. IV, Sec. 1 (A-1) District court jurisdiction in coastal waters.

Art. XIX, Sec. 3 Treason, definition and evidence required to convict.

Art. I, Secs. 6-12 Bill of Rights Guarantees: Open courts, legal remedies protected; searches and

seizures, indictment, speedy trial, jury trial, venue, witnesses, right to counsel, double jeopardy, information as to accusation, peremptory challenges, self-incrimination, confessions, excessive bail and fines, cruel and unusual punishment.

- Art. II, Secs. 1-2 Separation of powers provision.
- Art. III, Sec. 31 Attorney General on the Legislative Bureau
- Art. IV, Sec. 2 (a) Attorney General as member of the Board of Liquidation of State Debt.
- Art. V, Sec. 10 Pardon and Commutation of Sentences
- Art. VIII, Sec. 23 Corrupt Election Practices
- Art. IX, Secs. 1-3 Impeachment and Removal of Officials
- Art. X, Sec. 11 Tax Sales
- Art. XIV, Secs. 15 ff. Civil Service System
- Art. XIX, Sec. 4 Dual Office Holding
- Art. XIX, Sec. 9 Libel--Truth as Defense
- Art. XIX, Sec. 13 Immunity in Bribery Cases
- Art. XIX, Sec. 26 Immunity From Suit of Special State Agencies
- Art. XIX, Sec. 27 Governmental Ethics
- Art. XX The Penitentiary

### 3. Non-assigned Material

None.



STATE OF LOUISIANA CONSTITUTIONAL CONVENTION OF 1973 STATE CAPITOL BAYOU LAKE, LOUISIANA 70704

April 16, 1973

E. L. HENRY, CHAIRMAN

### MEMORANDUM:

TO: E. L. "Bubba" Henry, Chairman of the Coordinating Committee

FROM: Chalin O. Perez, Chairman, Committee on Local and Parochial Government

RE: Provisions in the 1921 Constitution to be considered by the Committee on Local and Parochial Government and provisions referred to the Coordinating Committee

The Committee on Local and Parochial Government has considered the entirety of the 1921 Louisiana Constitution in search of those provisions which may directly or indirectly relate to local and parochial government. The committee has noted that many sections assigned for study to other substantive committees also affect local and parochial government as it now exists, or as the committee feels it should exist.

The committee proposes that it deal with those articles and sections listed on Exhibit "A" which affect local government or its funding, and reserves the right to consider at a later date other articles and sections, contingent on reports from other substantive committees.

The committee wishes to consider the articles and sections listed on Exhibit "B", but desires to have these items considered by the Coordinating Committee because of possible conflicts and/or overlap with other substantive committees.

COP/rf

Attachment

### EXHIBIT "A"

The following groupings of provisions in the Constitution of 1921 are considered to be within the scope of the assigned jurisdiction of the Committee:

### A. ARTICLE IV - Limitations

#### Section:

2. Public debt; alienation of public lands; reservation of mineral rights; mineral leases; royalty road fund; parish road bonds
- 2(a) Board of liquidation of state debt; bonds; public works
- 4,5,6 Local or special laws
12. Loan or pledge of public credit; relief of destitute; donations; transfer of property; bonds; leasing of health institutions; donation to U.S. for Veterans Hospital  
(loan or pledge of public credit so far as it applies to local government).
18. Legislation to enable compliance with federal laws and regulations to secure federal aid in capital improvement projects.

### B. ARTICLE IX - Removal from Office

#### Section:

9. Recall

### C. ARTICLE X - REVENUE AND TAXATION

#### Section:

1. Taxing power; specific taxes
4. Tax exemptions
5. Parochial and municipal corporations; public boards; taxing powers; limitations
6. Local, municipal and district taxes; assessment; collection
8. License taxes; restrictions
9. Banks, domicile out of state; international or foreign banking; tax
10. Political subdivisions; special local taxes; purposes; limitations
- 10 a. Special tax for municipal services
- 10 b. Revenue Sharing Fund

### EXHIBIT "A" (continued)

11. Collection of taxes; tax sales; quieting tax titles; postponement of taxes; loans to parishes
13. Local improvement assessments
14. Local application of certain constitutional provisions
15. Survey and maps to aid assessment and taxation; cost
17. Vehicles; license tax; double taxation
19. Dwelling home exemption in certain municipalities; time limit
21. Severance tax on natural resources
22. New industries; exemption from municipal and parochial taxation; school tax exception
23. Tax levy for capital improvements at Francis T. Nicholls State College at Thibodaux

### ARTICLE XIV - PAROCHIAL & MUNICIPAL AFFAIRS

#### Section:

1. New Parishes
2. Change of parish lines or removal of seat; election
3. Optional plans of parochial government
- 3 (a). East Baton Rouge Parish
- 3 (c). Jefferson Parish; charter commission; plan of government
- 3 (d). Parish Charter Commission
- 3 (e). St. Bernard Parish; home rule powers, plan of government
- 3 (f). St. Charles Parish; charter commission; plan of government
- 3 (g). Parish charter commission; its duties, powers, functions and limitations
4. Dissolution and merger of parishes.



5. New or enlarged parishes; adjustment of assets and liabilities
7. Withdrawal of municipality from parochial taxing authority
8. Parochial taxation in cities and towns; limitation
10. Municipal consolidation; special taxes
11. Parochial tax limits; tax for municipal, district and parish fairs.
12. Municipal tax limits; special taxes
13. City of Shreveport bonds ratified and reaffirmed
16. Servitudes; public acquisition by prescription

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EXHIBIT "A" (continued)

17. State penal institutions; crimes in, or by inmates or employees; reimbursement of parish expense.
18. Municipal ice factories
19. Special tax to aid public utilities; elections, qualification of voters
- 22 (a). Vieux Carré Commission
- 24 (1). Motor fuel; local taxation prohibited
29. Zoning ordinances
- 29 (1). Parish industrial areas
32. Caddo Parish; sale of jail site; proceeds
37. Shreveport; home rule; charter commission
39. City of Lake Charles; reclamation and development of lake front
40. Municipalities; charters and powers; home rule
44. City of Lake Charles; reclamation and development of lake bed and waterfront; acquisition of property; bonds
- 44 (1). City of Lake Charles; reclamation and development of lake front; acquisition of property; bonds
46. Governing authorities of parishes and municipalities; power to abolish agencies created by them; fiscal and budgetary controls
48. Municipalities and special service districts; annexed areas; contracts; taxation and transfer of facilities

GROUP II - TRANSPORTATION

ARTICLE VI - ADMINISTRATIVE OFFICERS & BOARDS

Section:

16. Board of commissioners of the port of New Orleans
- 16 (1). Powers of board; lease of lands acquired for navigation canal
- 16 (2). Powers of board; organization of industrial districts
- 16 (3). Powers of board; organization of industrial districts; continuing authority
- 16 (4). Additional authority of board
- 16 (5). Limitation on bonded indebtedness
- 16 (6). Additional powers and authority
17. Members of board; appointment; term; removal

3

EXHIBIT "A" (continued)

24. Bonds for New Orleans - Chef Menteur and New Orleans-Baton Rouge highway
27. Lake Pontchartrain Causeway
29. Greater Baton Rouge port commission
- 29 (1). Debt limitation
- 29 (2). Ascension Parish included in Port area
- 29 (3). Number of commissioners

- 29 (4). Full faith and credit of parishes pledged
31. Greater Ouachita Port Commission
32. Caddo-Bossier Parishes Port Commission
33. Lake Providence Port Commission
- 33 (1). South Louisiana Port Commission
34. Concordia Parish Port Commission
35. Avoyelles Parish Port Commission
- 36 (1). Rapides Parish Port Commission

B. ARTICLE VI - A - GASOLINE TAX FOR PORTS

Section:

1. Additional motor fuel tax
2. Dealers; persons taxable; definition
3. Importers; reports
4. Dealers; payment of tax; reports; bond; enforcement; aircraft fuel
5. Disposition of collections; allocation; expenditures inner-harbor navigation canal bridge or tunnel
6. Purpose and intent of article
7. Supervisor of public accounts; powers and duties
8. Penalties for delinquency
9. Failure to report; examination of books and records; computation of tax
10. Falsification; enforcement; bond
11. Costs and receipts
12. Enforcement expenses
13. Self-operative effect
14. Exemptions

4

EXHIBIT "A" (continued)

C. ARTICLE XIV - PAROCHIAL & MUNICIPAL AFFAIRS

Section:

6. Property for navigation canals; acquisition by parishes or municipalities; financing
30. Improvements by riparian owners in cities over 5,000 or within port of New Orleans; expropriation; just compensation
- 30 (1). Port, harbor and terminal districts; creation as political subdivisions
- 30 (2). Lake Charles harbor and terminal district; ratification
- 30 (3). Navigation and river improvement districts; creation as political subdivisions
- 30 (4). Navigation and river improvement districts; effect on levee boards
- 30 (5). Red River Waterway
31. Port, harbor and terminal districts; creation as political subdivisions; ratification of Lake Charles harbor and terminal district
- 31 (6). New Orleans; Moisant International Airport Improvements
45. Sabine River Authority

GROUP III - SPECIAL DISTRICTS

A. ARTICLE VI - ADMINISTRATIVE OFFICERS & BOARDS

Section:

- 11 (1). Mosquito abatement districts

B. ARTICLE XIV - PAROCHIAL & MUNICIPAL AFFAIRS

Section:

- 3 (b). East Baton Rouge Parish; recreation and park commission
- 3 (d). Acquisition and financing of sewerage improvements
14. Subdivisions of state; creation; indebtedness; bond issues; special taxes.
33. Industrial plant erection; agricultural industrial boards

- 34. Garbage districts
- 35. Fourth Jefferson drainage district; bond issue
- 36. Jefferson Parish; community center and playground districts; bonds
- 37(1). Jefferson Parish; sub-sewerage districts

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**EXHIBIT "A" (continued)**

- 38. Jefferson Parish; public improvement districts; levee systems, pumps, etc.; indebtedness; bonds
- 38. Jefferson Parish; public improvement districts
- 38(1). St. Charles Parish; reclamation projects by public improvement districts
- 38(1). Calcasieu Parish; community center and playground districts; bond issue; secretary-treasurer's performance bond
- 43. Jefferson Parish; consolidated drainage districts; bonds; taxation
- 47. Louisiana Stadium and Exposition District

**C. ARTICLE XV - DRAINAGE DISTRICTS**

**Section:**

- 1. Authorization; powers
- 2. Existing laws continued
- 3. Bayou Lafourche fresh water district
- 4. Iatt Lake Water Conservation District

**D. ARTICLE XVI - LEVEES**

**Section:**

- 1. Levee system; maintenance; state tax
- 2. District taxes; Orleans levee district tax
- 3. Bond issues
- 4. Interstate districts
- 5. Cooperation with federal government
- 6. Compensation for property used or destroyed; tax
- 7. Orleans levee district; board of commissioners; powers
- 8. Pontchartrain levee district; commissioners; land protection; bonds
- 8(a). Pontchartrain levee district; additional bond issue

**GROUP IV - CITY OF NEW ORLEANS**

**A. ARTICLE XIV - PAROCHIAL AND MUNICIPAL AFFAIRS**

**Section:**

- 22. New Orleans; election of officers; form of government; powers; home rule charter

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**EXHIBIT "A" (continued)**

- 23. New Orleans; special acts ratified
- 23(1). New Orleans; sewerage, water and drainage system; special tax; disbursements
- 23(2). New Orleans; sewerage, water and drainage system; extensions; special tax
- 23(3). New Orleans; sewerage and water board; water rates; sinking fund; water works construction
- 23(4). New Orleans; sewerage, water and drainage bonds; limitation upon bonded indebtedness
- 23(5). New Orleans; tax levy to pay bonds; disposal of residue; proceeds from assessments
- 23(6). New Orleans; tax exemption of bonds; investment in bonds; use as security; registration

- 23(7). New Orleans; interest rate of bonds; form; maximum annual amount due; signatures; cost of preparation and sale
- 23(8). New Orleans; sale of bonds
- 23(9). New Orleans; proceeds of bond sale
- 23(10). New Orleans; continuation of board of liquidation; city debt; application of tax proceeds
- 23(11). New Orleans; application of §§ 23.4 to 23.10 to other related provisions
- 23(12). New Orleans; effective date
- 23(13). New Orleans; classification for drainage purposes
- 23(14). New Orleans; hearing relating to drainage area
- 23(15). New Orleans; proceedings following hearing relating to drainage area
- 23(16). New Orleans; construction of drainage works
- 23(17). New Orleans; assessments charged in drainage area
- 23(18). New Orleans; property subject to assessment; interest; certification; collection
- 23(19). New Orleans; delinquent installments
- 23(20). New Orleans; issuance of certificates following no interest period
- 23(21). New Orleans; sale of certificates
- 23(22). New Orleans; use of funds
- 23(23). New Orleans; debt limit; exclusion of certificates
- 23(24). New Orleans; sale for other taxes; continuation of lien
- 23(25). New Orleans; tax exemption of certificates; investment in certificates; certificates as security

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**EXHIBIT "A" (continued)**

- 23(26). New Orleans; sections 23.13 to 23.27 self-operative
- 23(27). New Orleans; effective date of sections 23.13 to 23.26
- 23(28). New Orleans; rate fixing; private users of sewerage system; revenue bonds
- 23(29). New Orleans; no obligation to provide funds
- 23(30). New Orleans; rules and regulations; provisions self-operative; board continued; repeal; severability
- 23(31). New Orleans; drainage system; special tax; investment; disbursements
- 23(32). New Orleans; drainage bonds
- 23(33). New Orleans; tax levy to pay bonds; disposal of residue; proceeds from assessments
- 23(34). New Orleans; tax exemption of bonds; investment; use as security; registration
- 23(35). New Orleans; interest rate of bonds; form; maximum annual amount due; signatures; costs
- 23(36). New Orleans; sale of bonds
- 23(37). New Orleans; proceeds of bond sale
- 23(38). New Orleans; continuation of board; application of proceeds
- 23(39). New Orleans; application of §§ 23.32 to 23.38 to other related provisions
- 23(40). New Orleans; provisions self-operative
- 23(41). New Orleans; effective date
- 23(42). New Orleans; termination of right to mill levy; use of proceeds
- 23(43). New Orleans; validity of bonds; repaler; severability
- 24. New Orleans; board of liquidation of city debt; bond issues for public improvements
- 24 (2). New Orleans; sewerage, water and drainage bonds; authorization
- 24 (3). New Orleans; sewerage, water and drainage bonds; authorization by election
- 24 (4). New Orleans; sewerage, water and drainage bonds; funds for payment.
- 24 (5). New Orleans; sewerage, water and drainage bonds; tax

- 24 (6) New Orleans; sewerage, water and drainage bonds; payment; tax exemption; authorized investment of security
- 24 (7) New Orleans; sewerage, water and drainage bonds; interest; form

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#### EXHIBIT "A" (continued)

- 24 (8) New Orleans; sewerage, water and drainage bonds, sale
- 24 (9) New Orleans; sewerage, water and drainage bonds; use of proceeds
- 24 (10) New Orleans; sewerage, water and drainage bonds; board of liquidation; duties
- 24 (11) New Orleans; sewerage, water and drainage bonds; self-operative provisions
- 24 (12) New Orleans; 1930 bond issue; authorization
- 24 (13) New Orleans; 1930 bond issue, purposes
- 24 (14) New Orleans; 1930 bond issue; debt limit
- 24 (15) New Orleans; 1930 bond issue; funds pledged for payment
- 24 (16) New Orleans; 1930 bond issue; tax
- 24 (17) New Orleans; 1930 bond issue; payment; tax exemption; authorized investment; security for deposits
- 24 (18) New Orleans; 1930 bond issue; interest; form
- 24 (19) New Orleans; 1930 bond issue; sale of bonds
- 24 (20) New Orleans; 1930 bond issue; application of revenues to payment
- 24 (21) New Orleans; 1930 bond issue; self-operative provisions
- 24 (22) New Orleans; 1930 bond issue; emergency borrowing
- 24 (23) New Orleans; street, water and sewer improvements; assessments; liens
25. New Orleans; special tax for fire and police departments
26. New Orleans; special tax for general municipal purposes
26. New Orleans; public belt railroad; commission
27. New Orleans; public belt railroad; bonds and notes
28. New Orleans; public belt bridge over Mississippi; use; financing
- 31 (1) New Orleans; bond issue to purchase ferry system
- 31 (3) New Orleans; railroad passenger stations
- 31 (4) New Orleans; Upper Pontalba Building; refinancing obligations
- 31 (7) New Orleans; vehicular and/or pedestrian crossing over or under Inner-Harbor Navigation Canal

#### B. ARTICLE XIX - General Provisions

##### Section

20. New Basin Canal and Sholl Road

#### EXHIBIT "B"

##### QUESTIONS

#### ARTICLE VII - JUDICIARY DEPARTMENT

##### Section:

46. Justice of the peace wards; number; reduction; abolition of office
47. Jurists; qualifications; election; term of office
48. Jurisdiction
49. Constables; election; term of office; qualifications
50. Fees; salaries
51. Justice of the peace courts; city courts
- 51 (a). Parish courts, Jefferson Parish
53. Family court for Parish of East Baton Rouge
65. Establishment of office; election; ex-Officio tax collector; bonds; discharge as collector
69. Vacancies; appointments; special elections; notices

74. Compensation of sheriffs and clerks of court
75. Qualifications
80. Establishment; composition; compensation; additional sections; assignment of judges
81. Civil and appellate jurisdiction
82. Establishment; composition
83. Jurisdiction and powers
84. Transfer of cases
85. Stenographers; minute clerks; salaries; deputy sheriffs; judges' vacations and absences
86. Distribution of cases; control; rules
87. Change of provisions relating to criminal courts
88. Salaries of parish and city officers
89. Parish officers; election; continuation of prior law
90. First city court; judges; terms; salary
91. First city court; jurisdiction; pleadings; authority; procedure; costs; appeals; small claims
92. Second city court; jurisdiction; officers; interchange of judges and clerks
93. Vacancies; temporary filling by district judges
94. New Orleans; municipal and traffic courts; personnel; jurisdiction; appeals

#### EXHIBIT "B" (continued)

95. Sources of fund; control and administration; accounting
96. Establishment; jurisdiction; appeals; procedure; judges
97. Time of election of judges and other parish officers

#### ARTICLE X - REVENUE AND TAXATION

##### Section:

1. Taxing power; specific taxes
- Only insofar as said section applies to the evaluation and classification fixed for state purposes shall be the evaluations and classifications for local purposes, etc.
- 3/4 of severance taxes on timber grow to the parish where timber is severed and any other provisions of this section which effect local government
4. Tax exemptions:
- Insofar as it applies to local government
9. Banks, domicile out of state; international or foreign banking; tax
- Insofar as it applies to 1/2 of the tax to go to the municipality wherein it has its principal office
11. Collection of taxes; tax sales; quieting tax titles; postponement of taxes; loans to parishes
- Insofar as it pertains to "loans to parishes"
21. Severance tax on natural resources
- Insofar as the percentage of proceeds go to parishes
24. Authority for tax relief for manufacturing establishments

#### ARTICLE XIV - PARISHIAL AND MUNICIPAL AFFAIRS

##### Section:

15. Civil service system; state; cities
- 15.1 Fire and police civil service; municipalities of 13,000 to 250,000

#### EXHIBIT "B"

##### QUESTIONS

#### ARTICLE VII - JUDICIARY DEPARTMENT

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91. First city court; jurisdiction; pleadings; authority; procedure; costs; appeals; small claims
92. Second city court; jurisdiction; officers; interchange of judges and clerks
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4. Tax exemptions:

Insofar as it applies to local government

9. Banks, domicile out of state; international or foreign banking; tax

Insofar as it applies to 1/2 of the tax to go to the municipality wherein it has its principal office

11. Collection of taxes; tax sales; quieting tax titles; postponement of taxes; loans to parishes

Insofar as it pertains to "loans to parishes"

#### ARTICLE X - REVENUE AND TAXATION (continued)

##### Section:

21. Severance tax on natural resources

Insofar as the percentage of proceeds go to parishes

24. Authority for tax relief for manufacturing establishments

#### ARTICLE XIV - PAROCHIAL AND MUNICIPAL AFFAIRS

##### Section:

15. Civil service system; state; cities

- 15.1 Fire and police civil service; municipalities of 13,000 to 250,000

present constitution which to date specifically have not been assigned to any substantive committee; and (IV) any subject areas or constitutional provisions where there appear to be conflicts or overlaps among various committees, the following is respectfully submitted:

- I. Specific subjects or provisions which Committee on Revenue, Finance and Taxation definitely plan to consider are as follows:

- II. The Committee on Revenue, Finance and Taxation plans to consider all provisions contained within its compilation of constitutional materials.

- III. To our knowledge presently there are no constitutional provisions which have not been assigned to a substantive committee.

- IV. There appear to be possible conflicts or overlaps among various substantive committees as to the following constitutional provisions:

##### Provision and Committees

##### Art. IV, § 1 (a)

- 1) Revenue, Finance and Taxation

- 2) Executive Dept.

- 3) Legislative Powers and Functions

##### Art. IV, § 2

- 1) Revenue, Finance and Taxation

- 2) Local and Parochial Government

- 3) Natural Resources and Environment

- 4) Legislative Powers and Functions

##### Art. IV, § 4

- 1) Revenue, Finance and Taxation

- 2) Local and Parochial Government

- 3) Legislative Powers and Functions

##### Art. IV, § 8

- 1) Revenue, Finance and Taxation

- 2) Education and Welfare

- 3) Executive Dept.

##### Art. IV, § 9

- 1) Revenue, Finance and Taxation

- 2) Education and Welfare

- 3) Legislative Powers and Functions

##### Art. IV, § 12

- 1) Revenue, Finance and Taxation

- 2) Local & Parochial Government

Creates the Board of Liquidation of the State Debt and provides for membership, interim appropriations, maximum borrowings and appropriation, considerations and determinations, meetings, payment of loans, and requires the treasurer and other public officials to comply with resolutions thereof.

Provides that the legislature shall have no power to contract through any state agency for the incurrence of debt or the issuance of bonds except by two-thirds vote of the membership of each house, and then only if the funds are to be used to make capital improvements, repel invasion or suppress insurrection. This prohibition does not apply to political subdivisions of the state. The legislature is also prohibited from alienating the fee on the bed of any body of water except for purposes of reclamation. Also provides that in all cases, mineral rights or any and all property sold by the state shall be reserved except where the owner or other person having the right to redeem may buy or redeem property sold or adjudicated to the state for taxes.

Prohibits the legislature from passing any local or special law exempting property from taxation. Also prohibits the legislature from passing any local or special law extending the time for the assessment or collection of taxes, or the relief of any assessor or collector of taxes from

--

the performance of his official duties, or his sureties from liability; nor shall any such law or ordinance be passed by any political corporation of the state.

Prohibits expenditures from the state treasury for sectarian, private, charitable or benevolent purposes. This prohibition does not apply to state schools for the handicapped and public charitable institutions conducted under state authority.

Provides that the general appropriation bill shall only contain ordinary expenses of the government, pensions, the public debt, public schools, public roads, public charities and state institutions. All other appropriations are required to be made by separate bills.

Provides that the funds, credit, property or things of value of the state, or any political subdivision thereof, shall not be loaned, pledged or assigned to any private person, association or corporation. Also provides that the state or its political subdivision may convey to the

April 10, 1973

#### MEMORANDUM

TO: Norma M. Duncan, Director of Research

FROM: CC/73 Research Staff, Committee on Revenue, Finance and Taxation

In response to your letter, dated March 28, 1973, requesting (I) specific subjects or provisions which Committee on Revenue, Finance and Taxation definitely plans to consider; (II) specific subjects or provisions contained in compilation of constitutional materials which Committee on Revenue, Finance and Taxation plans not to consider; (III) any provisions of

3) Natural Resources and Environment	United States any property for public purposes such as flood control, forest preserves, irrigation districts. Thereunder, the Board of Liquidation of State Debt is required to take steps to pay the indebtedness of the Louisiana State University and Agricultural and Mechanical College as evidenced by certificates of indebtedness issued under authority of its Board of Supervision in the amount of one million dollars. This section does not prohibit a municipality from leasing a hospital, sanitarium or other institution, provided however, that the lease require a minimum of two percent per annum rental fee.	2) Local & Parochial Government	Provides for the sources of revenue for the Long Range Highway Fund, and bonds for construction and improvement of parish roads and highways.
4) Education and Welfare		Art. V, § 23	
1) Revenue, Finance and Taxation	Requires the Board of Liquidation of the State Debt to fund into bonds so much of the State Bond and Interest Tax Fund as may be necessary to reimburse the General	1) Revenue, Finance & Taxation	
	-3-	2) Local & Parochial Government	
2) Education and Welfare	Highway Fund the sum transferred to the Public School Fund under the provisions of a resolution adopted by the Board of Liquidation of the State Debt on March 13, 1940, among other things.	Art. VI, § 23.1	Authorizes the issuance of bonds for the financing of construction, maintenance, improvement and extension of highways of the state and parishes.
Art. V, § 16	Provides that the governor has the power to veto any item or items of bills appropriating money.	1) Revenue, Finance & Taxation	
1) Revenue, Finance and Taxation		2) Local & Parochial Government	
2) Legislative Powers & Functions		Art. VI, § 24	Provides that bonds issued for the building of the "New Orleans-Chef Menteur" and "New Orleans-Hammond" highways are exempt from constitutional provisions.
3) Executive Dept.		1) Revenue, Finance & Taxation	
Art. VI, § 16	Creates the Board of Commissioners of the Port of New Orleans and grants to said board the power to borrow money and issue notes and bonds.	2) Local and Parochial Government	-5-
1) Revenue, Finance and Taxation		Art. VI, § 24.1, § 25	Grants power to the State Board of Liquidation of the State Debt to fund into bonds the proceeds of a specified automobile license tax to retire the bonds for the highways mentioned in Article VI, Sec. 24.
2) Local and Parochial Government		1) Revenue, Finance & Taxation	
Art. VI, § 16.2	Authorizes the Board of Commissioners of the Port of New Orleans to exempt the lands and improvements of the industries located within said industrial districts from state, municipal and parochial taxation for a period not exceeding ten years.	2) Local & Parochial Government	
1) Revenue, Finance and Taxation		Art. VI, § 26 [2]	Creates the office of legislative auditor.
2) Local and Parochial Government		1) Revenue, Finance & Taxation	
3) Education and Welfare		2) Legislative Powers & Functions	
Art. VI, § 16.5	Limits the bonded indebtedness of the Board of Commissioners of the Port of New Orleans for all purposes, exclusive of the bonds for the construction of the Inner Harbor-Navigation Canal, to ninety-five million dollars.	Art. VI-A, §§ 1-14	Gasoline tax for ports.
1) Revenue, Finance and Taxation		1) Revenue, Finance & Taxation	
2) Local and Parochial Government		2) Local & Parochial Government	
Art. VI, § 16.6	Authorizes the Board of Commissioners of the Port of New Orleans to expend sums of money as shall be necessary to acquire or construct a marine facility or warehouse, and provides for the liquidation of the debt incurred thereby.	Art. VII, § 10	Provides that among other things that the Supreme Court shall have appellate jurisdiction in all cases where the constitutionality of any tax or local improvement assessment is at issue.
1) Revenue, Finance and Taxation		1) Revenue, Finance & Taxation	
2) Local and Parochial Government		2) Judiciary	
	-4-	Art. VII, § 65	Establishes the office of sheriff and provides that he shall be the ex officio collector of state, parish and all other taxes, except municipal taxes, which, under legislative authority, he may also collect.
Art. VI, § 20	Grants to the legislature the power to authorize the governing authorities of road districts to impose a benefit tax on all property situated within the districts.	1) Revenue, Finance & Taxation	
1) Revenue, Finance and Taxation		2) Judiciary	
2) Local and Parochial Government		3) Local & Parochial Government	
3) Legislative Powers and Functions		Art. IX, § 8	Provides that the governor acting on the recommendation of the auditor, may suspend any official charged with the custody or collection of public funds when in arrears.
Art. VI, § 21	Requires the legislature to provide an equitable reimbursement out of the general highway fund to the parishes for the monies spent by them on the state highway system.	1) Revenue, Finance & Taxation	
1) Revenue, Finance and Taxation		2) Local & Parochial Government	
2) Local & Parochial Government		3) Natural Resources & Environment	
Art. VI, § 22	Provides for the sources of revenue for the General Highway Fund. All such revenue is required to be paid into the treasury.	Art. X, § 4 [3]	Provides that obligations of the state or its political subdivision shall be exempt from taxation.
1) Revenue, Finance and Taxation		1) Revenue, Finance & Taxation	
		2) Local & Parochial Government	
		3) Education & Welfare	
			Provides that household property to the value of one thousand dollars shall be exempt from taxation.
			Provides that books, philosophical apparatus and paintings kept in a public hall shall be exempt from taxation.

[1472]

2) Local & Parochial Government

3) Education and Welfare

Art. XII, § 9

Provides for annual appropriation of certain higher institutions of learning.

1) Education and Welfare

2) Revenue, Finance and Taxation

Art. XII, § 13

Prohibits the use of public funds for the support of any private or sectarian school.

1) Education & Welfare

2) Revenue, Finance & Taxation

Art. XII, § 14

Provides for sources and apportionment of funds for public elementary and secondary schools.

1) Education & Welfare

2) Revenue, Finance & Taxation

Art. XII, § 15

Provides for deviation of parish funds for the support of public elementary and secondary schools.

1) Education & Welfare

2) Local & Parochial Government

3) Revenue, Finance & Taxation

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Art. XII, § 16

Requires that the Orleans Parish School Board shall levy an annual tax not to exceed 11 mills on the dollar of assessed valuation of all property within the city of New Orleans. Also provides for the issuance of bonds and additional taxes with respect thereto.

1) Education & Welfare

2) Local & Parochial Government

Art. XII, § 17

Provides for the sources of funds for the operation, maintenance, and support of the Louisiana State University and A & M College.

1) Education & Welfare

2) Revenue, Finance & Taxation

Art. XII, § 18, § 19, § 20

Provides that where sixteenth section or indemnity lands granted by Congress for public school purposes have been erroneously sold by the state, amount of the deficiencies shall be credited to the parish school boards of the parishes in which such townships are situated.

1) Education & Welfare

2) Revenue, Finance & Taxation

Art. XII, § 23

Requires the legislature to provide for a retirement fund for aged and incapacitated teachers, and aged and incapacitated employees of the State Public School System.

1) Education & Welfare

2) Revenue, Finance & Taxation

Art. XIV, §§ 6 - 14, 17, 19 - 21, 22A, 23.1, 23.2, 23.3, 24, 24.1, 24.2, 24.3, 24.4, and 24.5

Local and municipal taxes.

1) Revenue, Finance & Taxation

2) Local & Parochial Government

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Art. XV

Drainage districts.

1) Revenue, Finance & Taxation

2) Local & Parochial Government

Art. XVI

Levee districts.

1) Revenue, Finance & Taxation

2) Local & Parochial Government

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NOTES FOR COORDINATING COMMITTEE

I. Possible Overlap of Subject Matter

A. Revenue, Finance and Taxation - revenue; finance; taxation; assessors and assessment; exemptions; state debts and management of state funds.

1. Does Rule 49 (6) contemplate this committee will (1) restrict its work to state taxes, finance, debt, etc., or (2) handle state, local and district taxes and finance, etc.?

COMMENT: If the latter (notably, in either case), there must be coordination with at least these committees:

- a) Local Government and Parochial Government, which surely will have jurisdiction to (1) parochial, municipal and district authority to levy and collect taxes, (2) any constitutional limitation on taxes levied by localities for any one purpose and/or all purposes, (3) assessors and assessment for local purposes, (4) collection of taxes and other revenues to extent covered by the constitution, (5) bonding and debt incurrence authority and limitations thereon as to purposes and aggregate amounts (or amounts for any one or several purposes).
- b) Education and Welfare, to the extent this committee considers financing of education and or welfare a matter for inclusion in the constitution.
- c) Judiciary, to the extent this committee may consider financing of the courts and their personnel a constitutional matter.
- d) Any other committee which may include in the constitution provisions that drafts any provision relating to finance or revenues. For example, the Committee on Legislative Powers and Functions could retain or consider provisions requiring appropriations for designated purposes, such as for legislative expenses. Likely provisions in the Legislative Article on when appropriation measures become effective should be coordinated with the overall state finance provisions drafted by the Revenue, Finance and Taxation Committee.

Also, the Committee on Bill of Rights and Elections may recommend such provisions as (1) a requirement for indigent defenders to be represented by a public defender, etc. (2) that the state shall be responsible for the cost of all (or some) elections. Such provisions, which would affect state finance and the revenues of the state, should be coordinated with the work of the Revenue, Finance and Taxation Committee.

B. Legislative Powers and Duties - Legislative Department, apportionment, qualifications, regular and special sessions.

1. Any other committees which consider the vote by which the legislature may enact a particular law should coordinate with this committee. Examples (from the 1921 Constitution) might include:

- a) Tax and/or bond provisions requiring a two-thirds vote.
- b) Requirement for a two-thirds vote to increase a salary - (Art. III, Sec. 37)
- c) Requirement for a two-thirds vote to create a college or university (Art. IV, Sec. 14)

2. Any provision for a Board of Liquidation, State Debt and for "emergency appropriations" by the board, or in any other manner, should be reviewed, perhaps, both by the Committee on Legislative Powers and Functions and by the Committee on Revenue, Finance and Taxation (see Art. IV, Sec. 2 (a)).

- a) Any provision on the veto power likely should be reviewed both by this committee and the Committee on Executive Department.

C. Limitations on Local (and special) Laws - Art. IV, Secs. 4, 5 and 6. Are these matters of legislative interest? Local government interest? Both?

- a) Suits against the state and its political subdivisions - Art. III, Sec. 35; Art. XIV, Sec. 26. Is this a legislative matter? Judicial? Executive?

E. Militia - Art. XVII. Should this subject be handled by the Committee on (a) Bill of Rights? (b) Executive, or (c) Education and Welfare?

II. Provisions of 1921 Constitution Apparently Not Specifically Assigned to a Committee

- A. Law office holding - Art. XIX, Sec. 4
  - B. Seat of government - Art. XIX, Sec. 2
  - C. Treason (Art. XIX, Sec. 3), quartering members of armed forces (Art. XIX, Sec. 7), Gambling, lotteries (Art. XIX, Sec. 8) - Query whether these will be handled by the Committee on Bill of Rights and Elections?
  - D. Continuance in office until successor inducted into office - Art. XIX, Sec. 6 and prohibition against fees or perquisites by salaried officials (Art. XIX, Sec. 10)
  - E. Lice - Art. XIX, Sec. 9. Query whether this will be handled by the Committee on Bill of Rights and Elections, or by the Committee on the Judiciary?
  - F. Bribery as disqualification from office - Art. XIX, Secs. 12, 13
  - G. Prohibition against passes, franking privileges, etc. for public officials - Art. XIX, Sec. 15
  - H. Huey P. Long birthday - Art. XIX, Sec. 22  
Huey P. Long and O. K. Allen bridges - Art. XIX, Secs. 23, 24
  - I. Retirement for state employees - Art. XVIII, Sec. 9, and notice of intention to introduce retirement legislative affecting any retirement system - Art. XIX, Sec. 25
- QUERY: Is it clear that retirement systems for local employees will be handled by the Local Government Committee, or could it be a matter of "welfare" and hence under the jurisdiction of the Education and Welfare Committee. (See Art. XVIII, Sec. 9.1)
- QUERY: Same as above, as to penal and correctional institution matters. (See Art. XVIII, Sec. 1; Art. III, Sec. 13)
- J. Bonus and veteran provisions:
    1. Soldiers Home - Art. XVIII, Sec. 1
    2. Confederate veterans and their widows; pensions - Art. XVIII, Sec. 2 (see also Sections 3, 6 and 7 (2))
    3. Civil War memorial hall - Art. XVIII, Sec. 4
  - K. Arbitration laws - Art. III, Sec. 36
  - L. Forced heirship, etc. - Art. IV, Sec. 16
  - M. Filling of vacancies in various public offices - Art. VII, Sec. 69. Note: Offices covered by this provision include judges, local government officials, assessors, etc.
  - N. Impeachment and removal from office - Art. IX
  - O. Corporations and corporate rights - Art. XIII
  - P. Militia - Article XVII

Labor and Industry

Article IV, Section 4.7  
Article VI, Section 3-9  
Article X, Section 4 (10), 24  
Article XIII, Section 1-8  
Article XIV, Section 29, 29.1  
Article XVIII, Section 7  
Article XIX, Section 14

page 2

Health

Article VI, Section 11, 12, 19.3  
Article X, Section 10  
Article XVI, Section 7

II. The following provisions were not assigned to a substantive committee, however, the Committee on Education and Welfare is willing to review these provisions.

Penal and Correctional Institutions

Article III, Section 33  
Article IV, Section 2(a)  
Article XIV, Section 17  
Article XX, Section 1

Retirement

Article IV, Section 9  
Article XII, Section 23  
Article XVIII, Sections 2,3,5,9,9.1,11,12, and 25

III. The following areas, which the committee will review may well overlap with the responsibilities of other committees. Probable committee assignment is indicated following each provision.

Article IV, Section 2(a) (Revenue, Finance & Taxation)	Funds for construction improvement and repair of correctional and charitable institutions.
Article IV, Section 4 (Legislative Powers & Functions)	Legislature prohibited from passing local and special laws fixing the rate of interest.
Article IV, Section 9 (Committee on Legislative Powers & Functions)	Government appropriation bills shall include nothing but appropriations for ordinary expenses of government...charitable institutions and public schools.

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April 9, 1973

TO: Norma M. Duncan, Director of Research  
FROM: Committee on Education and Welfare

In response to your memorandum dated March 28, 1973, the Committee has asked that the following reply be made.

1. The Committee on Education and Welfare plans to consider the following provisions of the Louisiana Constitution (1921)

Education

Article IV, Sections 4,8,9,12,14,16  
Article IV, Section 69(2)  
Article VIII, Section 13  
Article X, Section 4  
Article X, Section 7  
Article X, Section 10  
Article X, Section 22  
Article XX, Section 4  
Article XII, Section 1-26  
Article XIV, Section 14 (b.1)  
Article XIX, Section 26

Welfare

Article IV, Sections 8,9,12(c), 14  
Article XVIII, Sections 1-12

Consumer Affairs

Article IV, Section 4  
Article VI, Section 4,6,12,14  
Article XIX, Section 14

Civil Service

Article XIV, Section 15 (A) - (X)  
Article XIV, Section 15.1  
Article XIV, Section 15.2

Article IV, Section 12, (Revenue, Finance & Taxation)	Funds, credits, properties or things of value of the state shall not be loaned, pledged, etc.
Article VI, Section 3 9 (Local & Parochial Government) (Natural Resources & Environment) (Judiciary)	Public Service Commission
Article VI, Section 12 (Legislative Powers & Functions)	Gives legislature authority to protect people from unqualified practitioners of medicine, etc.; confidentiality of doctor-patient relationship; protection of people against the sale of injurious drugs.
Article VII, Section 62 (2) (Local and Parochial Government)	Vacancies on local school boards
Article X, Section 7 (Revenue, Finance & Taxation)	Donations exempt from inheritance tax
Article X, Section 10 (Revenue, Finance & Taxation)	Tax for acquiring school property
Article X, Section 22 (Revenue, Finance & Taxation)	Exemption for new industries
Article X, Section 23 (Revenue, Finance & Taxation)	Tax levy for Nicholls State
Article X, Section 24 (Revenue, Finance & Taxation)	Provides the Industrial Fund & gas credit for new monies
Article X(A), Section 4 (Revenue, Finance & Taxation)	Repealed ad valorem taxes & provides payment to LSU from general fund.
Article XIV, Section 14 (Revenue, Finance & Taxation) (Local & Parochial Government)	School district bond issues



Article XIV, Section 15(A) - (K)

Article XIV, Section 15.1  
(Local & Parochial Government)

Article XIV, Section 15.2

Article XIV, Section 17  
(Local & Parochial Government)Article XIV, Section 29.1  
(Local & Parochial Government)Article XVI, Section 7  
(Local & Parochial Government)Article XVIII, Section 3, 6  
(Revenue, Finance & Taxation)Article XVIII, Section 8  
(Revenue, Finance & Taxation)Article XVIII, Section 10  
(Revenue, Finance & Taxation)Article XVIII, Section 11  
(Revenue, Finance & Taxation)Article XVIII, Section 12  
(Revenue, Finance & Taxation)Article XX, Section 1  
(Revenue, Finance & Taxation)

IV. The Committee on Education and Welfare recognizes that Article XII, Section 16, which provides that the Orleans Parish School Board shall levy taxes on property within the city of New Orleans, falls within the responsibilities assigned to other committees. However, the Committee on Education and Welfare wishes to review said provision and present its recommendations.

Audrey LeBlanc

cc: Robert Aertker, chairman, and members of the committee



STATE OF LOUISIANA CONSTITUTIONAL CONVENTION OF 1973 STATE CAPITOL, BATON ROUGE, LOUISIANA 70804

E. L. HENRY, CHAIRMAN

MEMORANDUM

April 9, 1973

TO: Norma M. Duncan, Director of Research

FROM: Louis J. Lambert, Jr., Chairman  
Committee on Natural Resources and Environment

- RE: (1) Constitutional provisions to be considered by the Committee on Natural Resources and Environment  
(2) Provisions not to be considered by the Committee  
(3) Provisions not assigned to any substantive committee

The Committee on Natural Resources and Environment has examined the present constitution to determine which provisions relate to natural resources and environment. The Committee decided definitely to consider all provisions outlined in Attachment No. 1 and to delete from the compilation of constitutional materials provisions outlined in Attachment No. 2. The Committee has encountered no provisions not assigned to any substantive committee. The Committee, however, retains the right to review reports from all committees prior to July 5, 1973, and to consider any recommendations from other committees which affect any aspect of natural resources and environment.

ATTACHMENT 1

Constitutional Provisions Which the Committee on  
Natural Resources and Environment Will Consider\*

## ARTICLE III. LEGISLATIVE DEPARTMENT

- § 33 Convict labor (work on state owned farms)  
§ 37 Rights of way; roads of necessity; drainage  
§ 44 Milk manufacturers, etc.; bond

## ARTICLE IV. LIMITATIONS

- § 2(2)(3) Alienation of public lands; reservation of mineral rights; mineral leases  
§ 2(3) Royalty Road Fund (dedication of mineral revenues)  
§ 2(b) Mineral revenues; minerals beyond three mile limit  
§ 2(c) Mineral revenues; payment into general highway fund  
§ 2(d) Revenue from tidelands mineral leases  
§ 4(11) Local or special laws; prohibited subjects (regulating labor, trade, manufacturing or agriculture)  
§ 7 Price of manual labor (exception for agricultural or domestic purposes)  
§ 12 Loan or pledge of public credit  
§ 12(b) State Market Commission; guaranteed loans; agricultural facilities  
§ 12(c) Commissioner of Agriculture; guaranteed loans; farm youth organization

- \* Constitutional section titles are used except where the Committee's jurisdiction extends only to a limited aspect of a section, as indicated by material enclosed in parentheses.

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## ARTICLE V. EXECUTIVE DEPARTMENT

- § 1 Executive officers; consolidation of offices (creation of Register of the State Land Office, Commissioner of Agriculture, and Commissioner of Conservation)  
§ 18 Constitutional officers; election; term; vacancies; assistants (election of Register of the State Land Office and the Commissioner of Agriculture and appointment of the Commissioner of Conservation)  
§ 20 Salaries of constitutional officers; fees; expenses

## ARTICLE VI. ADMINISTRATIVE OFFICERS AND BOARDS

- § 1 Wildlife & Fisheries Commission; Forestry Commission; Department of Conservation; powers; duties; functions, etc.  
§ 2 Forestry; acreage taxes; homestead exemptions  
§ 4 Public Service Commission (sale of natural gas to industry; prohibition)  
§ 11.1 Mosquito abatement districts  
§ 13 Agriculture; commission to direct department  
§ 14 Agriculture; public policy  
§ 16 & 17 Port of New Orleans

§ 19.3 Beautification of highways; regulation of outdoor advertising and junkyards

§ 22(1) Refund on motor fuel tax used for agricultural purposes

§ 23(1)(F) Mineral royalty (dedication to long range highway fund)

§ 27 Lake Pontchartrain; sale of submerged lands; islands; causeway

§ 28 Liquefied Petroleum Gas Commission

§ 29 Greater Baton Rouge Port Commission

§ 31 Greater Ouachita Port Commission

#### NR&E-2

Article VI. Administrative Officers and Boards (cont'd)

§ 32 Caddo-Bossier Port Commission

§ 33 Lake Providence Port Commission

§ 33.1 South Louisiana Port Commission

§ 34 Concordia Port Commission

§ 35 Avoyelles Port Commission

§ 36.1 Rapides Port Commission

ARTICLE X. REVENUE AND TAXATION

§ 1 Taxing power; specific taxes (forest lands)

§ 4(1) Tax exemptions; public property

§ 4(3) Tax exemptions; agricultural products

§ 4(4) Tax exemptions; irrigation, navigation and hydro-electric power systems

§ 4(5) Tax exemptions; natural gas facilities

§ 11(15) Postponement of taxes (cases of emergency)

§ 21 Severance tax on natural resources

§ 21(2) Forestry Commission allocation

ARTICLE XII. PUBLIC EDUCATION

§ 17 L.S.U.; source of funds (dedication for benefit of agricultural arts)

§ 21 Agricultural and mechanical college fund

ARTICLE XIII. CORPORATIONS

§ 6 Canal and hydro-electric developments; use of state waters; state ownership

ARTICLE XIV. PAROCHIAL AND MUNICIPAL AFFAIRS

§ 3(b) East Baton Rouge Parish; Recreation and Park Commission

#### NR&E-3

Article XIV. Parochial and Municipal Affairs (cont'd)

§ 6 Property for navigation canals

§ 15.2 Financial security for surviving families of law enforcement officers (including wildlife and fisheries agents)

§ 16 Prescription; public acquisition by prescription

§ 30 Improvements by riparian owners

§ 30.1 Port, harbor and terminal districts

§ 30.2 Lake Charles Harbor and Terminal District

§ 30.3 Navigation and river improvement districts

§ 30.4 Navigation and river improvement districts

§ 30.5 Red River Waterway

§ 31 Port, harbor and terminal districts

§ 34 Garbage districts

§ 36 Jefferson Parish, community center and playground districts

§ 38 Jefferson Parish; public improvement districts (reclamation project)

§ 38.1 St. Charles Parish; reclamation project by public improvement district

§ 39 City of Lake Charles; reclamation and development of lake front

§ 39.1 Calcasieu Parish; community center and playground district

§ 44 City of Lake Charles; reclamation and development of lake front

§ 44.1 City of Lake Charles; reclamation and development of lake front

§ 45 Sabine River Authority

§ 47 Louisiana Stadium and Exposition District

#### NR&E-4

ARTICLE XV. DRAINAGE DISTRICT

§ 1 Authorization; powers

§ 2 Existing laws continued

§ 3 Bayou Lafourche Fresh Water District

§ 4 Iatt Lake Water Conservation District

ARTICLE XVI. LEVEES

§ 1 Levee system

§ 4 Interstate districts

§ 5 Cooperation with Federal government

§ 6 Compensation for property used or destroyed

§ 7 Orleans Levee District

§ 8 Pontchartrain Levee District

ARTICLE XIX. GENERAL PROVISIONS

§ 8 Gambling; futures of agricultural products; lotteries

§ 14 Monopolies, trusts, combinations or conspiracies in restraint of trade

§ 16 Prescription against state

#### NR&E-5

#### ATTACHMENT 2

Constitutional Provisions Which the Committee on Natural Resources and Environment Will Not Consider

ARTICLE IV. LIMITATIONS

§ 2(11) Public debt

§ 2(a) Bond of liquidation of the State Debt

§ 12(a) Bonds; state indebtedness

ARTICLE VI. ADMINISTRATIVE OFFICERS AND BOARDS

§ 1(A-1) District courts; jurisdiction in coastal waters

§ 19 State highways and bridges; construction and maintenance

ARTICLE X. REVENUE AND TAXATION

§ 11(¶1,2,3, & 4) Collection of taxes; tax sales; quieting tax titles

ARTICLE XIV. PAROCHIAL AND MUNICIPAL AFFAIRS

§ 24.23 New Orleans; street, water and sewer improvement

§ 31.6 New Orleans; Moisant International Airport improvements

ARTICLE XVI. LEVEES

§ 2 District taxes; Orleans Levee Tax District

§ 3 Bond issues

§ 8a Pontchartrain Levee District; additional bond issue

#### NR&E-6

# **USER GUIDES**



# Introduction

The preceding volumes of the **Documents of the Louisiana Constitutional Convention of 1973** represent a full reporting of the Convention's work. Volumes I, II, III, IV record the documentary process of the Convention in plenary session. These volumes contain the **Journal and Calendar of Proceedings**, the Constitution in full text and each instrument considered by the Convention. Volumes V, VI, VII, VIII and IX contain the edited verbatim transcripts of proceedings of the Convention in plenary session. Volumes X, XI, XII, XIII, XIV-A and XIV-B contain documents generated by the committees and staff of the Convention. What follows here is a brief description of the contents of the various volumes together with references to internal finding aids and a statement of editorial policy governing the selection of documents in each.

## Volumes I & II Journal and Calendar

These volumes were produced by the Convention under its Rules of Procedure. For the purposes of this series they were simply rebound. Their style and format is an adaptation of that used by the Louisiana Legislature with modifications demanded by unique Convention procedures. Found in Volume I, and nowhere else indicated in the series of volumes, are proposals offered by the substantive committees of the Convention when it reconvened after its statutory recess on July 5, 1973. These proposals which begin at I **Journal** 84 contain source and comment notations prepared by the committees and their staff after introduction but prior to consideration of the proposals by the full Convention.

The **Calendar** portion of Volume II contains a transposition table showing the origin of each section of the Constitution by Convention instrument and section number beginning at II **Journal and Calendar** xiii. The **Calendar** also contains an author index and a subject matter index to the committee and delegate proposals and resolutions.

## Volume III Louisiana Constitution of 1974

The proposed constitution in proof-perfect copy was prepared by the Convention together with the signatures of the delegates. The only alteration from that text was a change in the title page to indicate that this document is the Louisiana Constitution of 1974 rather than the Proposed Constitution, as it was styled in the Convention version. Its text is complete and accurate and it includes the entire text of the alternative Education Article and the ballot proposition.

## Volume IV Convention Instruments

The contents and use of this volume are described in detail in IV **Documents** iv-vi. Taken together with Volumes I-III, this set of volumes is a complete guide to the official instruments and their disposition by the Convention.

## Volumes V-IX Convention Transcripts

These four volumes reproduce all of the substantive debate of the Convention in plenary session beginning January 5, 1973 and concluding January 20, 1974. The text was derived from the Verbatim Transcripts of Proceedings produced by the Constitutional Convention in thirty-nine volumes and covering some 12,000 single spaced pages in an 8½" × 14" format. To reduce this material to a format having utility to the researcher the following editorial techniques were employed.

Headings were inserted to indicate the Convention day and date on each page. Headings were also inserted in the text to denote the type of business before the Convention. Recognition of speakers and questioners by the Chairman of the Convention were deleted and parliamentary procedure forms have been reduced to bracketed material to indicate actions taken. For example:

Delegate Blank: Mr. Chairman, I move the previous question on the section.

Mr. Chairman: Delegate Blank has moved the previous question on the section. Is there

any objection to the previous question? There being no objection to the previous question, the previous question is ordered on the section.

Now therefore when the machine is opened, all those in favor of the adoption of the section vote yea, all those opposed vote nay. And the Clerk will open the machine. The Clerk will close the machine. The vote is seventy-five yeas and thirty-six nays and the section is finally passed. Mr. Blank now moves to reconsider the vote by which the section was passed and lay that motion on the table. Without objection, so ordered.

This recitation in the edited version becomes:

*Previous question ordered. Section passed 75 yeas, 37 nays. Motion to reconsider tabled.*

Thus the researcher may easily identify that portion of the transcript relative to each section by the headings beginning with **Reading of the Section** and concluding after the amendment process with the bracketed vote.

The only other deletions from the original text are those dealing exclusively with Convention procedure relative to the time of adjourning or convening and those matters reported in full in the **Journal of Proceedings** as noted by bracket reference in the text. The primary editorial rule was to err in favor of inclusion of material rather than in its omission.

## **Volumes X- XIV-B Committee Documents**

These volumes are devoted to the materials generated by the substantive, procedural and administrative committees of the Convention. Each committee produced its documents in a unique manner, subject only to the board requirements of the Rules of Procedure. Within that framework each committee produced minutes reflecting its activities. Beyond that the similarities are only coincidental. An examination of the Table of Contents of each volume will give an indication of how each committee worked in addition to revealing internal finding aids produced by the committees and Convention staff.

The primary editorial principle applied in the committee volumes was to produce as much useful material as possible without printing materials published in other places. Where documents are reproduced in part, the exclusions are indicated in the box forms entitled **Notes**. Those materials appearing in these volumes are reproductions of those materials found in the records of the Convention having only been reduced in size photographically. In cases where the copy is not clear, the lack of clarity is in the original actually used by the Convention. In these volumes the error was in favor of inclusion rather than exclusion in order to obtain as full a record as possible from the available documents.

## **Volume XIV-B User Guides**

Included here are indices, concordance tables and other guides for potential researchers. The name index covers Volumes V to XIV-B. The Sectional Index is confined to the Transcripts of Proceedings found in Volumes V to IX and is an expansion of an earlier publication by the Records Commission entitled **A Preliminary Index to the Official Transcripts of Proceedings of the Louisiana Constitutional Convention of 1973** which referenced the unedited original transcripts. The subject matter index is based on the Congressional Index Service model as modified by the Louisiana Legislative Council. The index to committee tapes indicates those meetings of committees for which recorded cassette tapes are found in the records of the Convention. Those tapes and in some cases transcripts, as indicated, are available to researchers at the State Department of Archives and Records in the office of the Louisiana Secretary of State.

**STAFF**  
**LOUISIANA CONSTITUTIONAL CONVENTION RECORDS COMMISSION**

A. Edward Hardin, <i>Coordinator of Research</i>	February 10, 1975 - December 31, 1978
Elouise S. Seay, <i>Executive Assistant</i>	March 1, 1975 - December 31, 1978

**PROFESSIONAL**

Carol A. Coltharp	August 11, 1975 - August 3, 1977
Anthony R. Messina	March 30, 1975 - June 26, 1975
Lois Nichols Michelli	February 19, 1975 - August 2, 1976
Paul Alan Smith	April 5, 1976 - June 17, 1977

**CLERICAL**

Patricia S. Collier	August 9, 1976 - September 3, 1976
Ann H. Couvillion	January 19, 1977 - April 22, 1977
Ann M. Davis	April 19, 1976 - June 24, 1977
Emily C. Eads	September 19, 1977 - November 1, 1977
Denise Marie Fox	June 4, 1976 - July 28, 1976
Margaret A. Lindsey	September 27, 1976 - December 28, 1976
Catherine G. Macmurdo	January 10, 1977 - May 18, 1977
Rebecca L. McAlister	November 21, 1975 - April 9, 1976
Jacquelyn L. Morton	February 25, 1976 - October 22, 1976
Suelyn G. Panjehpour	February 5, 1976 - December 20, 1976

**STUDENTS**

Keith M. Borne	May 3, 1976 - November 8, 1976
Philip Thomas Deal	December 13, 1976 - May 26, 1977
Shelley Ford	July 15, 1975 - September 5, 1975
Virginia Ann Gerace	October 22, 1975 - November 10, 1975
Claire Marie Goldsworthy	October 22, 1975 - August 2, 1976
Dorothy J. Kyle	August 18, 1976 - December 31, 1977
Catherine B. Lewis	May 5, 1975 - January 20, 1976
	August 30, 1976 - March 13, 1977
Malcolm S. Murchison	September 15, 1975 - October 19, 1975
Oliver G. Richard, III	August 26, 1975 - September 10, 1975
	December 15, 1975 - February 23, 1976
Randall C. Songy	September 2, 1975 - March 7, 1976
	January 17, 1977 - June 15, 1977
Rometra E. Tullier	June 1, 1977 - December 31, 1977
Michael W. Wascom	March 10, 1975 - August 1, 1975
Gerald E. Wimberly	July 20, 1976 - August 20, 1976
	December 13, 1976 - January 14, 1977
Christine Youngs	May 3, 1976 - January 14, 1977

**STAFF**  
**LOUISIANA CONSTITUTIONAL CONVENTION OF 1973**

**RESEARCH STAFF**

Norma M. Duncan, Director of Research	Audrey D. LeBlanc, Coordinator
W. Lee Hargrave, Coordinator of Legal Research	Gene F. Tarver, Coordinator

*Senior Research Assistants:*

Ramon E. Arango	Walter J. Landry
J. Reginald Coco, Jr.	Charles H. Machen
Leroy J. Colter	Lois N. Michelli
R. Judge Eames	James A. Norris
C. B. Forgotston	Scott Reis
Stephen A. Glassell	Joe L. Smith
Jerry M. Hood	Harry Inman Woods

*Junior Research Assistants:*

Marius M. Carriere, Jr.	Frank L. Koles, III
Carol A. Coltharp	Robert P. Pellegrin
Valarie Jean Connor	Fred L. Tinsley
Betty M. Field	

*Administrative, Clerical and Support Staff:*

Moise Allen	Martha J. Gibson
Rexie T. Artieta	Howard B. Gist, III
Marietta M. Bell	Kathleen P. Goss
Dan B. Blake	Olivia F. Johnston
Judy T. Bishop	Paula J. Lato
Betty L. Blanchard	Beverly M. Leake
Constance E. Brooks	Delores M. McGibbon
Gail H. Broussard	Connie G. McManus
Paula M. Brumfield	Margaret P. Matherne
Meredith T. Bunker	Patricia K. Moore
Johnnie Marie Burks	Adrienne A. Patty
Cindy Ann Cambre	Frank A. Pizzoloto
Judy L. Cooper	Debbie J. Pratt
Shirley K. Corley	Brenda St. Romain
Diane K. Couch	Terry Lynn Toney
Marvin C. Dorsey	Lucille P. Tynes
Jerel D. Downing	Carol J. Turk
Ellen Ferguson	George M. Waldroup
Mary Ann Fields	Bernice Weaver
Irmie B. Gaudet	Judy F. Williams
Gretchen Gerstner	

*Student Workers and Messengers:*

Willie Lunkin, Head Messenger	Reginald J. Ringuet
Mike Baer	Bernice A. Roberts
Richard J. Brazan, Jr.	Gail S. Sandle
Tommy K. Cryer	Brenda D. Smith
Jasper N. Pharr	Michael W. Wascom
Joseph W. Rausch	Jay C. Zainey



## OFFICE OF THE CLERK

David R. Poynter, Chief Clerk  
A. Edward Hardin, Asst. Chief Clerk  
Samuel J. Bonnette, Jr.

Richard C. Broussard  
C. Wayne Hays  
Eugene Limar

### *Clerical:*

Julia M. LaBaue  
Kathryn T. Garner

Gale Kibling Clausen  
Michael Roy Fugler

### *Enrolling Room:*

Jane M. Noble, Chief Enrolling Clerk

### *Assistant Enrolling Clerks:*

Marjorie C. Gaudin  
Jean A. Glaze  
Agnes L. Hooper  
Maxine M. Maglone  
Claire M. Morvant

Jesse G. Noble, Jr.  
Elizabeth D. Politz  
Mary E. Roush  
Martha M. Schlicht  
Judith C. Swanner

### *Transcription:*

Jane T. French, Transcription Supervisor

### *Transcribers:*

Peggy C. Burgess  
Barbara W. Clingo  
Mary E. Crochet  
Nancy T. Cross  
Mary Virginia Day Eckert  
Dorothy S. Flory

Carleen S. Huffstickler  
Michael S. LaFleur  
Marva Hill Tuminello  
Mary L. Wright  
Joyce A. Young

### *Sergeants at Arms, Pages and Telephone Girls:*

R. J. Barrios, Sergeant at Arms  
A. W. Speer, Head Page  
Robert Allen  
Pamela Annis  
Mike Aloise  
Wilmer Baudoin  
Jane Baker  
Martha Baker  
David Bell  
Gayle Bell  
Patti Kay Bennett  
Robin Barnette  
Lynn W. Barr  
Debbie Blackwell  
Cindy Bonaventure  
L. G. Brassett  
Ina Marie Brownlow  
Mike Brien  
Pamela Bryan  
E. O. Cailleateau  
Dan Campbell  
Warren Capone

Mary Gail Chambers  
Patricia Cooper  
Wilson Chaney  
Susan Cote  
Ellis Daigle  
Mark Davenport  
Gwen David  
Joe Dazzio  
Freddie Donald  
Warren Drake  
Sam Dunn  
Emily Eads  
Mary Fields  
Pam Foreman  
Van Foster  
Frank Fry  
Elizabeth Fullerton  
Charles Fulton  
Macon Gean  
Mark Gravel  
Diana Grayson  
Doris Grimes

David Hamilton  
Connie Harris  
Vickie Head  
Claire Herthum  
Norman Hodgins  
Raymond Holloway  
Diane Hoover  
Franke Ivey  
Heyward Jeffers  
Eddie Joe  
Wanda Johnson  
Pat Joseph  
Joseph Keith  
Glenn Koepp  
Pat Kleinpeter  
Debbie Lamb  
Diana Landry  
Kathleen Lathum  
Marian Leither  
Henry R. Liles  
Cathy Lord  
Billy Middleton  
Steve Mogabgab  
Laurie B. Montague  
Lisa Meyerer  
John Messina  
Kathy Murray  
Ava Newton  
Charles Nichols

Andy O'Brien  
Charles Patin  
Camille Pitcher  
Jules Regard  
Adele Raggio  
Yvonne Reggie  
Joseph Richard  
Oliver Richard  
John W. Rudd  
Rob Scheffy  
Mike Skinner  
Darlene Simmons  
Sandra Simmons  
Hugh B. Smith  
Diane Swayeer  
Eddie L. Tarpely  
Charles Taylor  
Lydia Theriot  
Barbara Jean Thomas  
Anthony Thomson  
Beverly Toillotson  
Robert Vetter  
Lemmie Walker  
Linda Wall  
Rebecca Wells  
Wendy Williams  
Mark Windham  
George Ann Younger

# Concordance and Disposition Tables

PREAMBLE AND ARTICLE I

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

January 31, 1974

DECLARATION OF RIGHTS

COMMITTEE ON BILL OF RIGHTS AND ELECTIONS

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES			NEW STATUTE REQUIRE			
							R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED	
	Preamble	Preamble											
I	1	I	1										
	2		2, 4				R.S. 19:4		X <sup>1</sup>				
	3		7				C.C. 2632		X <sup>1</sup>				
	4		8										
	5		11										
	6		22										
	7		5				C.Gr. P. 142		X <sup>2</sup>				
	8		11										
	9		13, 15, 16, 17				C.Gr. P. 511-513		X <sup>3</sup>				
	10		13, 17, 19				C.Gr. P. 217-218		X <sup>4</sup>				
	11		16, 20				R.S. 18:369-373		X <sup>5</sup>				
	12		18, 20				R.S. 13:472.1		X <sup>5</sup>				
	13		21				C.Gr. P. 312-314		X <sup>6</sup>				
	14		3										
	15		24										

[1486]

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON BILL OF RIGHTS AND ELECTIONS: Footnotes--Preamble and Article I, Declaration of Rights

- 1 R.S. 19:1, C.C. 2632 and R.S. 48:450-457 need to be amended to provide for trial by jury in expiration cases.
- 2 C.Cr.P. 162 needs to be amended to provide that a search warrant include the purpose or reason for the search.
- 3 C.Cr.P. 311-313 need to be amended to have the right to counsel conform to new Section 13.
- 4 C.Cr.P. 217-218 need to be amended to provide that an arrested or detained person be informed of his legal rights as provided by new Section 13.
- 5 R.S. 13:570-173 and R.S. 15:572.1 need to be amended to conform to provision that full rights of citizenship are restored upon termination of supervision for any offense.
- 6 C.Cr.P. 312-314 need to be amended to conform to bail provisions of new Section 18.
- 7 C.Cr.P. 1795 needs to be amended to provide that the votes of ten jurors instead of nine are required to convict and five out of six for relative felonies.
- 8 R.S. 15 (entire) needs to be extensively amended to conform to the right to vote provisions of new Section 10 as well as new Article XI, Section 2.
- 9 C.Cr.P. 1796 needs to be amended to conform to the right to a preliminary examination in new Section 14.

January 31, 1974

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

ARTICLE II: DISTRIBUTION OF POWERS

COMMITTEE ON \_\_\_\_\_

Bill of Rights and Elections

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITION TO SCHEDULE NEEDED / PREPARED	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE DRAFT					
							SUPER MAJORITY VOTE	VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT	DRAFT	NEEDED	PREPARED	
II	1	II	1														
II	2	II	2														

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

1/31/74

COMMITTEE ON Legislative Powers and Functions

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		
							SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	NEW STATUTE DRAFT NEEDED
II	3	XII	11			X <sup>+</sup>		24:61 et seq.		X <sup>1</sup>	
III	1	III	1								
III	2	III	1,3,6	XIV	27(D)	X <sup>+</sup>		24:35	X <sup>2</sup>		
III	3	III	1,3,6	XIV	27(D)	X <sup>+</sup>		24:35.1	X <sup>2</sup>		
III	4	III	1,3,6	XIV	27(D)	X <sup>+</sup>		24:35.1	X <sup>2</sup>		
III	5	III	1,3,6	XIV	27(D)	X <sup>+</sup>		24:35	X <sup>2</sup>		
III	6	III	1,6	XIV	27(D)	X <sup>+</sup>		24:35	X <sup>2</sup>		
						In Part <sup>+</sup>	Detail				

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON Legislative Powers and Functions

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NECESSARY ACTION
							SUPER MAJORITY	VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED
III	7	III	14								
III	8	III	2, 4, 5	XIV 27(B)							
III	8.1	III	15								
III	8.2	III	18			X <sup>+</sup>					X <sup>3</sup>
III	9	III	4								X
III	10	III	7, 5	XIV 27(A)							
III	11	III	7								
III	12				Repealed						
III	13	III	8								

<sup>+</sup>Detail



**1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS**  
**COMMITTEE ON** Legislative Powers and Functions

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
TITLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NEXT STATUS PERIOD		
							SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	DRAFT DRAFT	NEEDED PREPARED	
III	14				Obsolete	X			24:31	X			
III	15	III	10										
III	16	III	15										
III	17	III	15										
III	18	III	15										
III	19	III	10										
III	20	III	10										
III	21	III	15										
III	22	III	16										

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON Legislative Powers and Functions

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS		UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES BY SUPER MAJORITY VOTE	R.S. CITATION	MATTERS TO BE HANDLED BY STATUTE		
				ARTICLE	SECTION					SUFFICIENT AS IS	AMENDMENT NEEDED	PRESENT IN STATUTES
III	23	III	15									
III	24	III	15									
III	25	III	15									
III	25.1	III	15									
III	26	III	17									
III	27	III	19				X <sup>+</sup>		43:19 43:81	X		
III	28	III	7									
III	29	III	9				X <sup>+</sup>		42:1141 at seq	X <sup>4</sup>		
III	30	III	9				X <sup>+</sup>		24:51 42:1141 at seq 14:118	X <sup>5</sup>		
							+Detail					

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

## COMMITTEE ON Legislative Powers and Functions

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE				
							SUPER. MAJORITY VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
III	31					X							X
III	34	X	23										
III	35	XII	10	XIV 33		<sup>+</sup> X			47:1481 et seq.	X <sup>6</sup>			
III	38				Obsolete								
III	39				Obsolete								
III	40-43				Unconst'l								
III	44					X			3:641 et seq.	X			
						<sup>+</sup> Detail							

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON Legislative Powers and Functions

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS		UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REMOVED	
				ARTICLE	SECTION				R.S. CITATION	SUFFICIENT AMENDMENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT DELETED PREPARED	
IV	1	III	16										
IV	4	III	12										
IV	6	III	13										
IV	9	III	15,16										
IV	10	III	16										
IV	11	III	16										
V	8	III	7	XIV	27 (A)		X <sup>7</sup>						
V	9			XIV	27 (A)		X <sup>7</sup>						X
V	14	III	2				X <sup>+</sup>						X <sup>3</sup>
V	15	III	18				+Detail						

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON Legislative Powers and Functions

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS		UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		
				ARTICLE	SECTION			SUPER MAJORITY VOTE	VOTE	R.S. CITATION	SUFFICIENT AS IS NEEDED	PRESENTLY IN STATUTES AMENDMENT PREPARED NEEDED
V	17	III	7, 17									
VI	26(2)	III	11	XIV	27(C)		X <sup>+</sup>					
IX	1	X	24									
IX	2	X	24							49:421 et seq.	X <sup>8</sup>	
IX	3						X					
IX	5					Repealed						
IX	6	X	25				X <sup>+</sup>					X <sup>9</sup>
IX	7	X	25				X <sup>+</sup>					X <sup>9</sup>
IX	9	X	26				*Detail			42:341 et seq.	X	

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

Page 8

COMMITTEE ON Legislative Powers and Functions

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		
							SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS NEEDED	AMENDMENT PREPARED	NEW STATUTE DRAFT DRAFT PREPARED
XIII	1				Repealed						
XIII	2					X		12:15 et seq. 12:65	X		
XIII	3					X		19:1	X		
XIII	4				Repealed						
XIII	5					X		12:1 et seq. 51:121 et seq. 51:331 et seq. 51:391 et seq. 51:421 et seq.	X		
XIII	7	XII	12								

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON Legislative Powers and Functions

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE DRAFT NEEDED PREPARED			
								R.S. CITATION	SUFFICIENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	PREPARED	
XIII	8					X		12:1 et seq.	X				
XIX	5	III	20					14:90	X				
XIX	8	XII	6					51:121 et seq. 51:331 et seq. 51:391 et seq. 51:421 et seq.	X				
XIX	14					X							
XIX	15	III	9			X <sup>+</sup>		24:51 et seq. 14:118 42:114.1 et seq.	X <sup>10</sup>				
XIX	26	XII	10			X <sup>11</sup>							
						+Detail							

COMMITTEE ON Legislative Powers and FunctionsFOOTNOTES:

<sup>1</sup>Present statutes only provide for continuity of government following "enemy attack", proposed §11 contemplates the possibility of other "periods of emergency".

<sup>2</sup>Present statutes do in fact apportion the state into single-member districts in both the House and the Senate; proposed sections, however, remove all detail presently in constitution specifying House and Senate districts.

<sup>3</sup>Proposed §10 provides for "automatic" veto sessions following each session unless a majority of either house indicates in writing that no veto session is necessary. Mechanics for indicating that no veto session is necessary as well as provisions for the governor's return of bills vetoed with his message should be provided.

<sup>4</sup>Present statutes prohibit participation in transactions where there is "substantial personal economic interest" but do not require disclosure.

<sup>5</sup>Present statutes prohibit sale or trade of votes, accepting bribes, etc., but conviction does not result in automatic forfeiture of office.

<sup>6</sup>Present statutes contemplate that legislative authorization is necessary in all types of suits, proposed §10 abolishes state and political subdivision immunity from suit and liability in suit in tort or contract.

<sup>7</sup>Lieutenant governor is no longer ex officio the President of the Senate. Senate elects its own presiding officer.

<sup>8</sup>The detail in the present provision has been removed and some present statutes still contain a reference to the Supervisor of Public Funds.

<sup>9</sup>Procedure and mechanics of removal of officers by suit are contained solely in present provisions.

<sup>10</sup>Present statutes prohibit receipt of "any thing of economic value" other than that to which an officer is entitled but conviction does not result in forfeiture of office.

<sup>11</sup>Present provision withdraws the consent of the state to suits against certain named "special agencies"; proposed §10 no longer requires legislative approval for suits in tort or contract and would allow legislature to waive immunity from suit and liability of the state, its agencies, or political subdivisions in all other types of suits.



1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

1/31/74

COMMITTEE ON EXECUTIVE DEPARTMENT

(Sources: CP-3, CP-22, CP-23, CP-31, CP-37)

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES				NEW STATUTE REQUIRE	
								R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
III	30 (a)	-	XIV	18		X	X	38:2211	X				
								38:2255	X				
								39:171		X (b)			
								39:175 (A)	X				
								39:180	X				
								39:191	X				
								43:3	X				
								43:4	X				
								43:9	X				
								43:12	X				
III	32	IV	1 (C)	XIV				43:82	X				

(a) CED considered only a portion of 1921, III, 30; that portion was deleted and discontinued.

(b) Provide that certain state contracts shall be subject to approval of governor, president of Senate, speaker of House, or any two of them.

(c) Mandatory Reorganization.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON EXECUTIVE DEPARTMENT

2

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES			NEW STATUTE REMIIE
							R-S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	DRAFT DRAFT
III	34	IV	4							
IV	1 (a)	-	-		X	X	39:92		X (a)	
IV	12-b	-	XIV 16		X		3:410	X		
IV	12-c	-	XIV 16		X		3:541	X		
V	1	IV	1, 20	X (b) (in part)	X (c) (in part)		3:548			

(a) Considered by CED in part only. Statement of receipts and expenditures of public moneys to be published every three months.

(b) "Auditor" renamed "comptroller", obsolete.

(c) Reference to Commissioner of Conservation as a member of the executive department, deleted.

COMMITTEE ON  
EXECUTIVE DEPARTMENT

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)					PROVISIONS REMOVED FROM 1921 CONSTITUTION							
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions		UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES			NEW STATUTE REQUIRED		
				ARTICLE	SECTION			SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
V	2	IV	3(A); 5(A)	XIV	16		X (a) (in part)		X	18:571		X (a)			
V	3	IV	2; 3(A)												
V	4	IV	3(A)												
V	5	IV	4			X <sup>(b)</sup>	X			49:201 49:202	X				
V	6	IV	14, 17, 18, 19												
V	7	IV	4	XIV	16		X		X	49:202		X (c)			

<sup>(a)</sup> Legislature's duty to decide tie votes for governor, lt. governor, deleted. Provide that tie votes cast for governor and lt. governor shall be decided by legislature. [See also R.S. 18:550, 18:567 (D)]

(b) Constitutional! salaries for governor and lieutenant governor, obsolete.

(c) Insurgent group failing to deliver to receive same salary as Senator.

PROVISIONS REMOVED FROM 1921 CONSTITUTION

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES					NEW STATUTE REQUIRED	
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	R. S. CITATION	SUFFICIENT AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
				ARTICLE SECTION					AS IS			
V	9	IV	15									
V	10	IV	5 (E)					15:572	X			
V	11	IV	5 (H)			X (a) (in part)	-					
V	12	IV	5 (H)									
V	13	IV	5 (B) (C)									
V	14 (b)	III	2 (B)									
		IV	5 (A)									

(a) Deleted provision that legislature may pardon for treason.

(b) Moved in part to proposed Article III, §2(B).

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

## COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION							
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	ARTICLE	SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER VOTE	MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED		
										R.S. CITATION	SUFFICIENT AMENDMENT AS IS NEEDED	AMENDMENT PREPARED			
V	15	III IV	18 5(F)												
V	16	III IV	18 5(G,1)												
V	18	IV	3,13, 16,19, 20	XIV	16			X (a) (in part)		X	30:1	X (a)			
V	19	-	-					X (b)							
V	20	IV	4	XIV	16		X (c)	X		X					X (d)

(a) Reference to commissioner of conservation as appointed official, deleted. Add to statutes.

(b) Treasurer eligible to succeed self, deleted and discontinued.

(c) Reference to insurance department as part of secretary of state's office, obsolete.

(d) Provide that treasurer, secretary of state, register of land office, commissioner of an industry, commissioner of conservation shall receive no compensation except salary.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

6

COMMITTEE ON EXECUTIVE DEPARTMENT

PROVISIONS REMOVED FROM 1921 CONSTITUTION

1921 CONSTITUTION

1974 CONSTITUTION (PROPOSED)

ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES	MATTERS TO BE HANDLED BY STATUTE			
							SUFFICIENT AS IS	AMENDMENT NEEDED	NEW STATUTE REQUIRED	DRAFT PREPARED
V	21	IV	7	XIV	16	X (a)				X (a)
VI	1 (A)	IX	7	X (b)	(in part)	X (c)	56:1-28	X (d)		
VI	1 (B)	IX	8	X (b)	(in part)	X (c)	56:1471-1476	X		
VI	1 (C)	-	-	XIV	18	X (b)	30:1, 4	X		
VI	1 (D)	IX	1							

(a) All commissions to be in name of state, sealed with state seal, and signed by governor, deleted. (Countersignatures of secretary of state covered in proposed IV(7). Place in statutes.

(b) Provisions relative to transfer of employees and property from old to new agencies and references to old legislative acts, obsolete.

(c) Authority to consider delegated to Committee on Natural Resources and Environment. CED deleted the provisions.

(d) Act 326 of 1944 created a department and a commissioner of wildlife and fisheries. Act 17 of 1952 revoked the law to substitute a commissioner and a director for the department and the commissioner. Present statutory provisions are a mixture of the two organizational plans and should be rewritten.

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE SECTION	ARTICLE SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE		
								R.S. CITATION	PRESENTLY IN STATUTES AS IS	AMENDMENT NEEDED PREPARED
VI	3	IV	21 (A)	XIV	15	X (a) (in part)	X	45:1161 45:1162 45:1161.1	X (b) X (c) X	X (b)

(a) References to Railroad Commission are obsolete.

(b) Statute needed to provide the following: domicile of the commission, quorum, qualifications of commissioners, appointment of a secretary and other employees, travel expenses of commissioners and employees.

(c) Statutory provisions on public service commission districts (R.S. 45:1161.1) and salaries of commissioners (R.S. 45:1162) are sufficient.

## COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION											
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED			
							VOTE	SUPER MAJORITY	CITATION	AS IS	AMENDMENT NEEDED	DRAFT	NEEDED	DRAFT	NEEDED
VI	4	IV	21 (B)			Deleted (a) (in part)	X			X**					
											Title 45				
											Secs. 163,				
											163.1,				
											180.1,				
											252, 253,				
											255, 258,				
											260, 302,				
											303, 309,				
											321, 354,				
											357, 841-				
											844, 1094-				
											1096,				
											1164-1167,				
											1184-1186,				
											1203-1205,				
											1502				

(a) 1921 provisions deleted from the proposed constitution include: delineation in detail of carriers and utilities to be regulated; the specific authority to fix rates; restrictions on regulating sales of natural gas; regulation of all service connected activities; unrestricted right of PSC to regulate carriers and utilities; the power to call witnesses, punish for contempt, etc.

\*\*\* Title 45 contains numerous sections relating to powers of the Public Service Commission. General powers of the commission are stated in R.S. 45:1163, 1164, and specific powers relating to particular creatures or utilities are given in other sections of the title. The proposed constitutional provision replaces the detailed language of the 1921 Constitution with general statements. It would seem advisable, therefore, to prepare stronger statutory language using some of the provisions deleted from the 1921 Constitution, although the present statutory language on specific powers and duties seems sufficient.



1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

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COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION						
ARTICLE	SECTION	ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES				NEW STATUTE REQUIRED DRAFT NEEDED PREPARED
										R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	
VI	5	IV	21 (D) 21 (E)					Deleted (a) (in part)	X				X (a)	

(a) Deleted are the 1921 provisions that appeals against the commission shall be made at its domicile; that appeals to the supreme court shall be returned within ten days after being granted; that no bond is required when the commission appeals. Add to statutes.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

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COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION					MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRE-	
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions	UNCONSTITUTIONAL, DELETED, OBSOLETE, ETC.	COMMITTEE	VOTE	PLACE IN STATUTES	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	DRAFT DRAFT	PREPARED
VI	6	XIV	18	X				45:168	X			
								45:171				
								45:180				
								45:180.1				
								45:183				
VI	7	IV	21(C)					45:264	X			
								45:265				
								45:270				
								45:843				
								45:1200				
VI	8	XIV	20	X (a)				33:4491-	X			
								4496				
								45:303				
								45:358				
VI	9							45:1164	X			
								45:1164.1				

(a) References to Railroad Commission changed to PSC in revised statutes of 1950.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

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COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REMISE		
						SUPER MAJORITY VOTE	COMMITTEE VOTE	R.S. CITATION	SUFFICIENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT NEEDED PREPARED		
VI	11	XIV	18		X			40:1-	X				
								18.2					
								40:31-39					
								40:41-55					
VI	12	XIV	18		X			40:61-69	(a) X				
								40:81-88					
								15:47f					
								37:611,					
								37:751,					
								37:921,					
								37:972,					
								37:1409,					
								37:1117,					
								37:1179,					
								37:1270,					
								37:1510,					
								37:2396,					
								37:2402					

(a) While the law of evidence presently protects confidential communications between client and physician, the committee may wish to enact more general law on this subject. Other laws requiring the licensing of various medical professional groups and the State Food, Drug, and Cosmetic Law seem to cover sufficiently the 1921 constitutional mandate that the license law shall protect the "good" in the profession of public health.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

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COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE					
								SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	NEW STATUTE REQUIRED	DRAFT PREPARED	
VI	13	IV	10	XIV	18		X				X				
VI	15														
VI	18			XIV	18		X					X			
VI	19			XIV	16	X (b) (in part)	X		X						X (b)

(a) Numerous statutory references establish powers and duties of the bank commissioner in fulfillment of the 1921 mandate that such powers and duties be provided by the legislature.

(b) All provisions of 1921, Art. VI, Sec. 19 are adequately covered by statutes except the provisions that parish, or other local government, highway funds for certain paved roads taken into the state system. Reference to Section 19 of the 1921 Constitution is made.

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE SECTION	TRANSITIONAL PROVISIONS	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE				NEW STATUTE REQUIRED	
							SUFFICIENT AS IS	AMENDMENT NEEDED	PREPARED	DRAFT	DRAFT	PREPARED
VI	19.2	XIV	16		X	X		X (a)				
VI	19.3	XIV	16		X	X		X (b)				
VI	19.4	XIV	16		X	X		X (c)				

(a) Enact statute creating highway board, department, director, establishing powers and duties, i.e. enactment of 1921 constitutional provisions into statutory law. (Note: Art. VI, Sec. 19.2 superseded various sections of Title 48 which pertain to the creation of the highway board and establishes its powers and duties).

(b) Enact statute granting department of highways powers of zoning and expropriation for purposes of highway beautification; provide that zoning shall be consistent with local zoning authority.

(c) Amend Title 48 to specifically include Department of Highways as a subject unit of the Department of Transportation.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

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COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION						
ARTICLE	SECTION	ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES		NEW STATUTE REQUIRED	
									SUPER MAJORITY VOTE	VOTE	R.S. CITATION	SUFFICIENT AMENDMENT AS IS	AMENDMENT NEEDED	PREPARED
VI	26			XIV	16		X (a) (in part)	X	X		47:1501- 1514	X (b)		
VI	28			XIV	16			X	X		40:1841- 1850	X (c)		
VI	39	IV	5 (C)	XIV	16			X	X		49:901-903	X (d)		

(a) State Printing Board referred to in Constitution of 1921 is defunct.

(b) Prepare amendment creating a department of revenue, the office of commissioner and his appointment, term, removal, salary, and powers.

(c) Amend to place deleted portions of VI, 28 (1921) re Liquified Petroleum Gas Commission into statutes (i.e. creation, domicile, composition, eligibility of dealers for membership, compensation, terms, quantum, power of investigation).

(d) Place entire constitutional provision in statutes. [VI, 39 (1921)] re reports to the gov that is considerably broader than proposed provision.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

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COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION							
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	ARTICLE	SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED	
									SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	DRAFT PREPARED	
VII	55	IV	3 (A), 8, 13	XIV	16			X (a) (in part)		X					X (a)
VII	56	IV	2, 8, 13, 16, 19				X (b)	X (b)				49:256 49:257 49:258	X		
VII	57	IV	4												

(a) 1921 provisions for an office force for attorney general. deleted. Statute needed to provide.

(b) Constitutional salaries. obsolete. deleted.

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST'L, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		
									SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	NEW STATUTE REQUIRE DRAFT PREPARED
IX	1, 2	X	24										
IX	8		XIV	18			X	X		42:301	X		
X	2		XIV	16			X (a) (in part)	X	X	47:1831, 1832	X (c)		
XII	5	IV	1(A), 3(A), 4, 20				X (b) (in part)		X	17:4	X		

(a) References to Board of State Affairs and authority of tax commission over state budget are obsolete.

(b) Superintendent's constitutional salary is obsolete.

(c) Amend R.S. 47:1831 or R.S. 18:1832 to give tax commission authority re. assessment and taxation.



## COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE SECTION	ARTICLE SECTION	TRANSITIONAL PROVISIONS	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES BY SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE		
								R.S. CITATION	SUFFICIENT AMENDMENT AS IS NEEDED	PRESENTLY IN STATUTES
XVII	1		XIV	18		X		29-1-171	X	
XVII	2	IV 5 (3)						29-5, 28	X	
XVII	3		XIV	16		X	X	28-8	X (c)	
XVII	4		XIV	16		X	X	29-9	X (d)	
								282, 283		
XVIII	3				X (a)	X				
XVIII	4		XIV	16		X	X			
XVIII	6				X (b) (in part)	X				
					X (b) (in part)	X				
XVIII	8		XIV	16		X	X	46-891-897	X (f)	
										X (e) XVIII:4

(a) Bonds outstanding will be paid out Dec. 31, 1973; provisions merged with Art. XVIII, Sec. 7.

(b) No bonds outstanding; purposes of bond levy completed.

(c) Amend R.S. 29-8 to provide that adjutant general shall discharge his duties at the capital.

(d) Amend R.S. 29-9 to remove provisions of 1921, XVII, Sec. 14 re preservation of records, papers, rolls.

(e) Amend for civil war Memorial Hall for relics, i.e. incorporate Art. XVIII, Sec. 4 into revised statute.

(f) Amend R.S. 46:891 to incorporate services to be rendered by Confederate Memorial March Order as outlined in R.S. 46:891.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

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COMMITTEE ON EXECUTIVE DEPARTMENT

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION			
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES			NEW STATUTE REQUIRED
								R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	DRAFT DRAFT PREPARED
XIX	4	X	22								
XIX	6			XIV 16		X	X	42:2		X (c)	
XIX	10	IV	4			X (a)					
XIX	18 (b)	VI	9 (B)			X (b)					
XIX	27	X	21	XIV 16			X	Title 42: Secs. 1101, 1191, 1121, 1144		X (d)	

(a) Art. XIX, Sec. 10 applies to "constitutional salaries"; proposed constitution will have no salaries.

(b) The exercise of the police power of the state shall never be abridged". (Placed in Loc 1 Government Article; deleted by CDD)

(c) Amend R.S. 42:2 to read the same as XIX, Sec. 6, i.e. add "except in case of impeachment or suspension".

(d) Amend R.S. 42:1144 to incorporate XIX, Sec. 27, Paragraph 4(c) on appeals from decisions of the State Board of Ethics for public officers and officials.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

January 31, 1974

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION							
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	ARTICLE	SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED	
									SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED	
VII	1,*1	V	1				X	X							
	1,*2														
	2		2												
	3		24												
	4		3												
	5						X	X							X
	6,*1						X	X							
	6,*2		24												
	7		6	XIV	16										
8		23	XIV	16											
9		4	XIV	16											

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

January 31, 1974

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PROVISIONS REMOVED FROM 1921 CONSTITUTION

1974 CONSTITUTION (PROPOSED)

1921 CONSTITUTION

ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	R.S. CITATION	MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRED
								SUFFICIENT AMENDMENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT DRAFT NEEDED PREPARED
VII	10	V	5							X
	11		5							
	12		5							
	12.1		7							
	13		XIV	X	X					X
	14		XIV		X					
	15		7							
	16				X					
	17			X	X					
	18				X					
	19		8							

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

January 31, 1974

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PROVISIONS REMOVED FROM 1921 CONSTITUTION

1974 CONSTITUTION (PROPOSED)

1921 CONSTITUTION

ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions		UNCONSTIT', OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED	
				ARTICLE	SECTION			SUPER MAJORITY VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	NEEDED	DRAFT
VII	20		V	8, 9	XIV	16								
	21			8, 9	XIV	16								
	22			24										
	23,*1			12										
	23,*2			9										
	23,*3			22										
	24						X							X
	25			11										
26			8											
27						X								
28				13, 30	XIV	16								

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

January 31, 1974

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1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION								
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions ARTICLE SECTION	UNCONSTR'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES			NEW STATUTE REQUIRED	
								R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	PREPARED	DRAFT NEEDED
VII	29	V	10									
	30				X	X						
	31		14,15	XIV								
	31.1		14,15	XIV								
	31.2		14,15	XIV								
	32					X						X
	33		15,24	XIV								
	34		15									
	35		16									X
	36		16B									X
	37					X						X

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

January 31, 1974

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PROVISIONS REMOVED FROM 1921 CONSTITUTION

1974 CONSTITUTION (PROPOSED)

ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions ARTICLE SECTION	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES			NEW STATUTE REQUIRED		
							R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	DRAFT NEEDED	DRAFT PREPARED	DRAFT PREPARED
VII	38	V			X						X	
	39			X	X							
	40		21									
	41		33									
	42		34									
	43			X	X							
	44				X						X	
	45			X	X							
	46		20 XIV									
	47		20 XIV									
	48		20 XIV									

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

January 31, 1974

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PROVISIONS REMOVED FROM 1921 CONSTITUTION

1974 CONSTITUTION (PROPOSED)

ARTICLE	SECTION	ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES BY SUPER MAJORITY VOTE	R.S. CITATION	MATTERS TO BE HANDLED BY STATUTE		
											SUFFICIENT AMENDMENT NEEDED AS IS	PRESENTLY IN STATUTES	NEW STATUTE REQUIRED DRAFT DRAFT NEEDED PREPARED
VII	49	V	20	XIV	16								
	50		20	XIV	16								
	51		15A, 18, 20	XIV	16								
	51a		15	XIV	16								
	52		15, 18, 19	XIV	16								
	53		15, 18, 19	XIV	16								
	54							X					
	55	IV	8	XIV	16								
	56	IV	8										
	57							X					
	58	V	26										



1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

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1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	REPEALED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE			AMENDMENT NEEDED	AMENDMENT PREPARED	DATE
								P.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED			
VII	59	V	26			X							
	59.1				X	X							
	60		26										
	61		26										
	62				X	X						X	
	63		26										
	64				X	X							
	65		27										
	66		28										
	67		28										
	68					X						X	

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

January 31, 1974

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PROVISIONS REMOVED FROM 1921 CONSTITUTION

1974 CONSTITUTION (PROPOSED)

1921 CONSTITUTION

ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES			NEW STATUTE REQUIRED		
								R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT	PREPARED
VII	69	V	22, 30										
	70		29										
	71		29										
	72		30										
	73				X	X							
	74					X							
	75		24, 32										
	80		24, 32	XIV 16									
	81		32	XIV 16									
	82		32	XIV 16									
	83		32	XIV 16									

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

January 31, 1974

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PROVISIONS REMOVED FROM 1921 CONSTITUTION

1974 CONSTITUTION (PROPOSED)

ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES			NEW STATUTE REQUIRED	
							R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	DRAFT PREPARED	DRAFT PREPARED
VII	84	V		X	X						
	85		XIV 16		X						
	86	32									
	87	32									
	88	32									
	89	32	XIV 16								
	90	32	XIV 16								
	91	32	XIV 16								
	92	32	XIV 16								
	93	30									
	94	32	XIV 16								

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON THE JUDICIAL BRANCH

January 31, 1974

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PROVISIONS REMOVED FROM 1921 CONSTITUTION

1921 CONSTITUTION 1974 CONSTITUTION (PROPOSED)

ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED		
								R.S. CITATION	SUFFICIENT AMENDMENT NEEDED	AS IS	AMENDMENT PREPARED	DRAFT	PREPARED
VII	95	V		XIV 16									
	96		32	XIV 16									
	97			XIV 16		X							
IX	4		25	XIV 28									
XIX	16	XII	13										

PRIMARY RESPONSIBILITY  
1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government      January 31, 1974

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION						
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES	MATTERS TO BE HANDLED BY SENATE		SEN. ACTION
				ARTICLE SECTION			SUPER MAJORITY VOIE	R.S. CITATION	SUFFICIENT AMENDMENT AS IS NEEDED	AMENDMENT PREPARED
IV	5	III	12							
	6		13							
VI	11.1						X			
	16		XIV 19				X			
	16.1		XIV 19				X			
	16.2		XIV 19				X	34:41-44	X	
	16.3		XIV 19				X	34:43-44	X	
	16.4		XIV 19				X			
	16.5		XIV 19				X			
	16.6		XIV 19				X			

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION								
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE BEING		
							SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	PREPARED	DRAFT	NEEDED
VI	17			XIV 19			X		34:1-2	X				
	27							X						
	29			XIV 19			X		34:1221- 1226	X				
	29.1			XIV 19			X							
	29.2			XIV 19			X							
	29.3			XIV 19			X							
	29.4			XIV 19			X							
	31							X	34:1401- 1406		X			
	32							X						

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION									
TITLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE				NEW STATUTE BEING				
							SUPER MAJORITY VOTE	PLURALITY VOTE	R.S. CITATION	SUFFICIENT AMENDMENT AS IS	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED				
VI	33						X		34:1501-1507	X							
	33.1			XIV 19			X		34:2471	X							
	34			XIV 19			X		34:1851-1857	X							
	35						X		34:1801-1807	X							
	36.1						X										
VII	69	VI	13														
X	10	VI	31						39:801-804	X							
	10A						X		39:801-804	X							
	10B	VII	26														
	13	VI	36														
	23						X										

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	R.S. CITATION	MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRED		
									SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT DRAFT PREPARED	
XIV	1	VI	1										
	2	VI	1										
	3	VI	5										
	3(a)	VI	4										
	3(b)						X						
	3(c)	VI	4										
	3(d)						X						
	3 (second d)	VI	4										



1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
 COMMITTEE ON \_\_\_\_\_  
 Local and Parochial Government

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION						
ARTICLE	SECTION	ARTICLE SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEA STATUTE FEMINIST DRAFT NEEDED PREPARED	
						SUPER MAJORITY VOTE	PLURALITY VOTE	PRESENTLY IN STATUTES	R.S. CITATION	AMENDMENT AS IS NEEDED		AMENDMENT PREPARED
XIV	3(e)				X							
	3(f)				X							
	3(g)				X							
	4	VI	1									
	5	VI	1									
	6											
	7	VI	26				X		34:361-370	X		
	8	VI	26									
	9	VII	24									

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
Local and Parochial Government  
COMMITTEE ON

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE/SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED	
							SUPER MAJORITY VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
XIV	10	VI	2					X		33:191-209	X		
	11	VI	26							33:2701-2705	X		
	12	VI	27					X					
	13				X								
	14		VI	16, 19, 21, 23, 31, 35, 37				X		39:471 et seq. 38:1541-1548 38:1751-1904	X		
16		VI	24										
18					X					33:4161-4162			
19								X		39:781-788	X		

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
Local and Parochial Government  
COMMITTEE ON

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION						
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED		
							SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	PREPARED	DRAFT NEEDED	DRAFT PREPARED
XIV	22	VI	4											
	22A	VI	17				X							
	23						X		33:4071-4092	X				
	23.1						X							
	23.2						X							
	23.3						X							
	23.4						X							
	23.5						X							
	23.6						X							

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
 COMMITTEE ON Local and Parochial Government

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION							
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE SECTION			
							SUPER VOTE	MAJORITY VOTE	P.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED	
XIV	23.7							X							
	23.8							X							
	23.9							X							
	23.10							X							
	23.11							X							
	23.12							X							
	23.13							X							
	23.14							X							
	23.15							X							

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government

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1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONST'L OBSOLETE, ETC.	DELETE BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED	
							SUPER MAJORITY VOTE	PLACE IN STATUTES	R.S. CITATION	SUFFICIENT AMENDMENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
XIV	23.16						X						
	23.17						X						
	23.18						X						
	23.19						X						
	23.20						X						
	23.21						X						
	23.22						X						
	23.23						X						
	23.24						X						
	23.25						X						

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION									
TITLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED	
							SUPER MAJORITY VOTE	VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	DRAFT PREPARED	DRAFT PREPARED
XIV	23.26							X					
	23.27							X					
	23.28							X					
	23.29							X					
	23.30							X					
	23.31							X					
	23.32							X					
	23.33							X					
	23.34							X					
	23.35							X					



1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION									
TITLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRED		
							SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED
XIV	24.1	VII	4										
	24.2								X				
	24.3								X				
	24.4								X				
	24.5								X				
	24.6								X				
	24.7								X				
	24.8								X				
	24.9								X				
	24.10								X				



1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
Local and Parochial Government  
COMMITTEE ON

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONSTIT'L OBSOLETE ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES		
						SUPER MAJORITY VOTE	AS IS	R.S. CITATION	SUFFICIENT AMENDMENT NEEDED	NECESSARY REVISIONS
XIV	24.11					X				NECESSARY REVISIONS
	24.12					X				NECESSARY REVISIONS
	24.13					X				NECESSARY REVISIONS
	24.14					X				NECESSARY REVISIONS
	24.15					X				NECESSARY REVISIONS
	24.16					X				NECESSARY REVISIONS
	24.17					X				NECESSARY REVISIONS
	24.18					X				NECESSARY REVISIONS
	24.19					X				NECESSARY REVISIONS
	24.20					X				NECESSARY REVISIONS

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
Local and Parochial Government  
COMMITTEE ON \_\_\_\_\_

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION										
TITLE	SECTION	ARTICLE	SECTION	ARTICLE	TRANSITIONAL PROVISIONS	UNCONSTIT'L OBSOLETE, ETC.	DELETE BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	PLACE IN STATUTES PRESENTLY IN STATUTES SUFFICIENT AS IS	MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE PEOPLE	
										R.S. CITATION	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
XIV	24.21								X					
	24.22								X					
	24.23								X					
	25								X					
	25.1		VI	26					X					
	26								X					
	27								X					
	28								X					
	29		VI	17					X					



## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON Local and Parochial Government

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION						
ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED		
					SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	DRAFT NEEDED	DRAFT PREPARED	
XIV	31.3					X						
	31.4				X							
	31.6					X						
	31.7					X						
	32					X						
	33	VI	21			X						
	34					X						
	35					X						
	36					X						
	37	VI	4			X	Acts 1946, No. 285			X		

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONST'N, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE				NEW STATUTE REVIEW
							SUPER. MAJORITY VOTE	AS IS	P.S. CITATION	SUFFICIENT AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT DRAFT	
XIV	37.1												
	38 (both)												
	38.1												
	39												
	39.1												
	40	VI	2, 5, 11, 12						Acts 1948, No. 82	X			
	43												
	44												
	44.1												

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government

1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION												
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE						
							SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED		
XIV	45							X							
	46	VI	15					X							
	47							X							
	48							X							
XV	1							X							
	2				X										
	3							X	Acts 1950, No. 113, Acts 1952, No. 192	X					
	4							X							

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS  
COMMITTEE ON Local and Parochial Government

11 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION									
PAGE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETE BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE				NEW SECTION
							SUPER MAJORITY	VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	
XVI	1	VI	38					X					
	2		39										
	3		40					X					
	4												
	5	VI	44										
XVII	6	VI	42	XIV	32			X					
	7							X	38:1231-1246	X			X
	8							X	38:1311-1324	X			
	8 (a)							X					
XIX	20							X					

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON ARTICLE VII: REVENUE AND FINANCE  
PART I. GENERAL PROVISIONS (As Finally Adopted)

January 31, 1974

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED	
							R.S. CITATION	SUFFICIENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
III	25.1	VII	2								
IV	1		10 (A,C)								
	1(a)		7								
	2, #1		6								
	2, #3		4 (E)								
	2(a)			X							
	2(b)			X							
	2(c)		9		X						
	2(d)		9		X						
	3				X						
	4, #10	III	12 (5)								
IV	4, #15		12 (5)								
	4, #17		12 (5)								
	8	VII	10 (D)								
	9		11 (A)								
	10		16 (A,D)								
											X



## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON ARTICLE VII: REVENUE AND FINANCE

January 31, 1974

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRED		
							SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
IV	12	VII	14										
	12a												
	13		15										
	17		7										
VI	18		17										
	2, 4, 1	IX	8 (A)										
	2, 4, 2		8 (A)										
	19, 4												
	20					X							
	21					X							
	22 (a) (1-4)	VII	5										
	22 (a) (5-10)						X						
	22 (b)		9										
	22 (c)						X						
	22 (d)(e)(f) (h)(i)(j)				X								
													X

COMMITTEE OF ARTICLE VII: REVENUE AND FINANCE

January 31, 1974

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION								
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			
							SUPER MAJORITY VOTE	AMENDMENT NEEDED	R.S. CITATION	AS IS NEEDED	AMENDMENT PREPARED	NEW STATUTE REQUIRED: DRAFT DRAFT NEEDED PREPARED
VI	22g(1-4)				X	X						X
	22(h)					X						
	22(1)					X						
	23					Dedications X						X
	23.1				X	X						X
	24				X							
	24.1				X							
	25					X						
	25.1				X							
	1-14					Dedications X						X
VI-A												
X	1,*1	VII	1									
	1,*2		4 (A)									
	1,*3					X						
	1,*4(1)					X						
	1,*4(2)		4 (A)									

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON ARTICLE VII: REVENUE AND FINANCE

January 31, 1974

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION								
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES			NEW STATUTE REQUIRED	
								R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	DRAFT	NEEDED
X	1,*5	VII	4(B)									X
	1,*6		4(D)									
	1,*9		4(B)									
	1,*10, 11					X						
	1.1				X							
	1(a)		2									
	5	VI	30									
	7					X					X	
	8					X						
	9					X						X
	14					X						
	17	VII	5									
	18		3									
	20	XIV	12									
	21,*1	VII	4(B)(C)				X					
	21,*2					X						

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON ARTICLE VII: REVENUE AND FINANCE

January 31, 1974

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRED		
							SUPER MAJORITY	VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	DRAFT PREPARED	NEEDED
X-A	3					X							X
	4					X							X
	5					X							
XI	1-5	XII	9	XIV 34									
XII	8					X							X
	9					X							
	13	VII	10 (D)										
	14					X							
	18					X							X
	19					X							X
	20					X							X
	21					X							X
	22					X							X
XIV	13				X								
	24.1	VII	4 (C)										
XVI	2					X							

COMMITTEE ON ARTICLE VII: REVENUE AND FINANCE

January 31, 1974

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION							
ARTICLE	SECTION	ARTICLE SECTION	ARTICLE SECTION	Transitional Provisions ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRED		
							SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED	
XVI	3					X							
XVIII	1,2,3,5,6,8				X								
	10,11,12				X								
	12												
	13					X							X
	7(3),*2				X								
XIX	8	XII	6										X
	19	VII	16			X							X
	19(a)	XIV	11										
XX	1				X								

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			Part III. Revenue Sharing			Part II. Property Taxation (As Finally Adopted)			COMMITTEE ON ARTICLE VII: REVENUE AND FINANCE January 31, 1974		
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	PREPARED	NEW STATUTE REQUIRED		
												DRAFT	DRAFT	PREPARED
X	1, 11	VII	19 (A)											X
	1, 18				X									X
	1, 19				X									
	2, 11, 2				X			47:1831- 47:1836	X					
	3, 11	VII	19											
	4, 11	VII	21 (A)											
	4, 12	VII	21 (B)											
	4, 13	VII	21 (C)											
	4, 14													
	4, 15													
	4, 16													
	4, 17													
	4, 18	VII	21 (E)											
	4, 19	VII	20 (A)											

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

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COMMITTEE ON ARTICLE VII: REVENUE AND FINANCE  
Part II. Property Taxation (As Finally Adopted)

Part III. Revenue Sharing

PROVISIONS REMOVED FROM 1921 CONSTITUTION

1974 CONSTITUTION (PROPOSED)			MATTERS TO BE HANDLED BY STATUTE				NEW STATUTE REQUIRED		
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	P.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED
X	4, 49 (a)			X					
	4, 49 (b)			X					
	4, 49 (b. 1)	VII	20 (A) (3)						
	4, 49 (b. 2)	VII	20 (A) (3)						
	4, 49 (b. 4)	VII	20 (A) (3)						
	4, 49 (c)	VII	20 (A)						
	4, 410	VII	21 (F)						
	4, 412				X				
	4, 413				X				
	4, 414				X				
	4, 415								
	4, 416			X					
	4, 417	VII	21 (C)						
	4, 418	VII	21 (B)						
	4, 419 (a)	VII	21 (D) (1)						





1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

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COMMITTEE ON ARTICLE VII: REVENUE AND FINANCE

Part II. Property Taxation (as Finally Adopted)

Part III. Revenue Sharing

PROVISIONS REMOVED FROM 1921 CONSTITUTION

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			MATTERS TO BE HANDLED BY STATUTE				NEW STATUTE REQUIRED		
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST. OR OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		R.S. CITATION	PRESENTLY IN STATUTES		NEED DRAFT
							SUPER MAJORITY	VOIE		SUFFICIENT AS IS	AMENDMENT NEEDED	NEED DRAFT
XIV	20	VII	24 (B)			X			47:2057		X	
	21				X							
	22	7-19			X							
	23.2				X							

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON EDUCATION AND WELFARE (ARTICLE VIII. EDUCATION)

ALTERNATIVE A\*

Chart A

1921 CONSTITUTION					1974 CONSTITUTION (PROPOSED)					PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTE		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE FEATURE		
							SUPER MAJORITY VOTE	PRESENTLY IN STATUTE	R.S. CITATION	SUFFICIENT AMENDMENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED	
XII	1	VIII	1											
	2		5											
	3		Preamble											
	4		3 (A) 2	X <sup>1</sup>										
	5		2 <sup>3</sup>											
	6		3											
	7 (A)		7	X <sup>4</sup>										
	7 (B) 5		4, 6	X <sup>6</sup>										
	7 (C)		5	X <sup>7</sup>										
	8		11											
	9		6, 12											
	10		9											
	11		10											
	12					X								
	13					X								
*Alternative A provides for a Board of Regents for higher education and management boards for state colleges and universities.														

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

## COMMITTEE ON EDUCATION AND WELFARE (CONTINUED)

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUS		MATTERS TO BE HANDLED BY STATUTE		AMENDMENT PREPARED	DRAFT PREPARED	DECEASED
							SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	NEEDED			
XII	14 <sup>8</sup>	VIII	13										
	15		13										
	16		13										
	17												
	18					X	X	41:801 41:1111	X <sup>9</sup>				
	19						X	41:841	X				
	20						X					X	
	21						X	17:2186	X <sup>10</sup>				
	22						X						
	24		14				X						
25						X							
26						X							

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON EDUCATION AND WELFARE  
ALTERNATIVE B\*

Chart B

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)		PROVISION RECEIVED FROM 1921 CONSTITUTION							
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions	UNCONSTIT'L, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUS SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	PREPARED	DATE PREPARED
XII	1	VIII	1								
	2		5								
	3		Preamble								
	4		3 (A) 2								
	5		23								
	6		3								
	7		4, 5								
	8		9								
	9		10								
	10		7								
	11		8								
	12										
	13										
	14 <sup>5</sup>		11								
	15		11								
	16		11								

x<sup>5</sup>x<sup>5</sup>

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

## COMMITTEE ON EDUCATION AND WELFARE

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTE		MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE PROVIDED
						SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AMENDMENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT PREPARED
XII	17				X <sup>5</sup>					
	18					X <sup>5</sup>	41:801 41:1111	X <sup>6</sup>		
	19					X <sup>5</sup>	41:841	X		
	20					X <sup>5</sup>				
	21					X <sup>5</sup>				X
	22					X <sup>5</sup>	17:2186	X <sup>7</sup>		
	24	VIII	12		X	X <sup>5</sup>				X
	25				X					
	26									
*If Alternative B contained in Art. XIV, §38 is adopted and the proposed constitution is adopted, then the Article on education contained in §38 will become "Article VIII. Education" and this disposition of Articles and Sections beginning at this point will become applicable.										

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Footnotes: Chart A

1Article XIV, §4

2The powers of the state board as to higher educational institutions were eliminated and are now exercised by the Board of Trustees for State Colleges and Universities and the Board of Supervisors for Southern University and Agricultural and Mechanical College.

3The proposed new constitution provides that there shall be a state superintendent of public education "for elementary and secondary education".

4Article XIV, §2

5Specific provision regarding certification and qualification of teachers found in Article XII, §7(B) of 1921 Constitution was deleted from Committee Proposal No. 7 by the convention.

6Article XIV, §4

7Article XIV, §2

8Article XII, §14 of the 1921 Constitution enumerates the sources of funds for elementary and secondary schools (severance taxes, ad valorem taxes, taxes levied on retail sale of gasoline, etc.). Article VIII, §16 of the proposed constitution provides that the legislature shall appropriate funds for elementary and secondary education sufficient to insure a minimum foundation program of education.

9Although reference is made to indemnity lands (R.S. 41:801 et seq.) and sixteenth section lands (R.S. 41:1111), the specific provisions of Article XII, §18 are not covered in the cited statutes.

10Although reference is made to the Agricultural and Mechanical College Fund (R.S. 17:2186), the specific provisions of Article XII, §21 are not covered in the cited statute.

ARTICLE IX. NATURAL RESOURCES

1/31/74

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE SECTION	ARTICLE SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRED
							SUPER MAJORITY VOTE	VOIE	R.S. CITATION	SUFFICIENT AMENDMENT NEEDED	DRAFT DRAFT NEEDED PREPARED
IV	2 (*2)	IX	3						30:136	X	
	2 (*3)	VII	4 (E)								
	2 b	IX	6								
	2 c	-	-	XIV				X			
	2 d	XIV	10								
	12 b	-	-	XIV				X	3:410	X	
	12 c	-	-	XIV				X	3:541	X	
	1	-	-	XIV				X*	30:1a 41:1 3:2	X	
	18	-	-	XIV				X*	3:4	X	
	20	-	-	XIV	Obsolete (in part)			X			X
* Made statutory in part, i.e., the Register of the Land Office and the Department of Conservation.											

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

2

COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT

1921 CONSTITUTION					1974 CONSTITUTION (PROPOSED)					PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED							
							SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED					
VI	1	IX	1						56:1 56:1471 30:2	X									
	1A	IX	7						56:1		X								
XIII	1B	IX	8						56:1471 56:1475	X									
	1C	-	-	XIV	15				30:4	X									
	1D	IX	1																
	13	IV	10																
	14	-	-	XIV	18(A)				3:2	X									
	19.3	-	-	XIV	16				3:1	X									
	27	-	-	XIV	18(A)									X					
	6	-	-	XIV	18(A)				45:62		X				X				
	33	-	-	XIV	16														
	38	-	-	XIV	16	X*		X	Act 1950, No. 117		X								
XIV	38.1	-	-	XIV	16	X*		X	Act 1960, No. 562		X								
	*Repeated in part since Article IX, §4 requires that reclamation be for public use.																		



Source: Committee Proposal No. 34

Footnotes: Chart B

<sup>1</sup>Article XIV, §40(A) [§1(2), (4)]

<sup>2</sup>The powers of the state board as to higher educational institutions are eliminated and are now exercised by the Board of Regents and, to a limited extent, the Board of Supervisors of L.S.U.

<sup>3</sup>Provides that the state superintendent is to be the "administrative head of the Department of Education and the Board of Regents...."

<sup>4</sup>Article XIV, §40(A) [§1(1), (2), (3), (5)]

<sup>5</sup>Action was taken by Committee on Education and Welfare with reference to Committee Proposal No. 7, however there was no discussion in this regard when the Alternative Proposition contained in Delegate Proposal No. 98, Article XIV, §38, and was considered by the convention. Since the difference between Committee Proposal No. 7 and Delegate Proposal No. 98 are basically concerned with board structure the inference is that action taken by the committee and adopted by the convention (see Article XIV, §§16 and 17) regarding provisions of the 1921 Constitution not directly affecting board structure apply if the Alternative Proposition B contained in Article XIV, §38 is adopted.

<sup>6</sup>Article XIV, §4

<sup>7</sup>Article XIV, §2

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

1/31/74

COMMITTEE ON EDUCATION AND WELFARE (Article X, Public Officials and Employees)

Part I. State and City Civil Service

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION							
ARTICLE	SECTION	ARTICLE SECTION	ARTICLE SECTION	Transitional Provisions ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRE		
							SUPER VOTE	MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	DRAFT NEEDED	PREPARED
XIV	15(A) (1)	X	7						33:2391- 2424	X			
	(A) (2)	X	1(A)										
	(A) (3)	X	1(B)										
	(B)	X	6										
	(C)	X	3	XIV	8								
	(D)	X	4	XIV	8				33:2391, 2395-96	X			
	(E)	X	3, 4	XIV	8				33:2396	X			
	(F) (1)	X	6(C)										
	(F) (2)	X	10 <sup>1</sup>										
	(G) (a)	X	2(B)								X		
(G) (b)	X	2(A)											
(G) (c)						X							
(G) (d)	X	15											
(H)	X	10											

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

2

COMMITTEE ON EDUCATION AND WELFARE (continued)

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION							
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions		UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE		R.S. CITATION	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES		NEW STATUTE REQUIRED	
			ARTICLE SECTION	ARTICLE SECTION			SUFFICIENT AS IS	AMENDMENT NEEDED		DRAFT NEEDED	DRAFT PREPARED		
XIV	15(1)	X	10(A)(1)						33:2416		X		
	(J)(1)	X	10(A)(1) <sup>1</sup>			X							
	(J)(2)	X	10(A)(3)										
	(K)	X											
	(L)	X	10 <sup>1</sup>			X			33:2396				
	(M)	X	10 <sup>1</sup>			X	X						
	(N)(1)	X	8(A)										
	(2)	X	8(B)								X		
	(3)	X	9(B)										
	(4)	X	10(A)(1) <sup>1</sup>				X						
	(5)	X	10(A)(1) <sup>1</sup>				X			33:2424			
	(6)	X	9(B)										
	(7)	X	9(A)										
	(8)						X						

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

3

COMMITTEE ON EDUCATION AND WELFARE (continued)

1921 CONSTITUTION		1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRE		
							SUPER MAJORITY VOTE	VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED	
XIV	15(N)(9)	X	9											
	(O)(1)	X	8(A)											
	(O)(2)	X	8(B)											
	(O)(3)	X	10 <sup>1</sup>			X								
	(O)(4)	X	10(A)(4)											
	(O)(5)	X	10(A)(1)											
	(O)(6)	X	12											
	(O)(7)	X	10 <sup>1</sup>			X								
	(O)(8)	X	10 <sup>1</sup>			X								
	(P)(1)	X	10 <sup>1</sup>			X								
	(P)(2)	X	10 <sup>1</sup>			X								
	(P)(3)	X	11						33:2432				X	
	(P)(4)	X	10 <sup>1</sup>			X								

## 1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON EDUCATION AND WELFARE (continued)

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRE				
									SUPER MAJORITY VOTE	PLURALITY VOTE	P.S. CITATION	SUFFICIENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED		
XIV	15(P)(5)	X	10 <sup>1</sup>					X									
	(P)(6)	X					X										
	(Q)			XIV	9												
	(R)			XIV	35		X										
	(S)						X										
	(T)	X	13														
	(U)	X	14														
	(V)	X	15														
	(W)	X	15														
	(X)						X				33:2394	X					

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

5

COMMITTEE ON EDUCATION AND WELFARE (Article X, Public Officials and Employees)  
Part II. Fire and Police Civil Service

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions		UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	R.S. CITATION	MATTERS TO BE HANDLED BY STATUTE PRESENTLY IN STATUTES				NEW STATUTE REQUIRED			
				ARTICLE	SECTION					SUFFICIENT AS IS	AMENDMENT NEEDED	PREPARED	DRAFT NEEDED	DRAFT PREPARED			
XIV	15.1(1)	X	16						33:2471, 2591		X						
	(2)						X		33:2472								
	(3)							X	33:2473								
	(4)							X	33:2474								
	(5)	X	16					X	33:2475								
	(6)							X	33:2476								
	(7)							X	33:2477								
	(8)							X	33:2478								
	(9)							X	33:2479								
	(10)							X	33:2480								
	(11)							X	33:2481								
	(12)							X	33:2482								
	(13)							X	33:2483								
	(14)							X	33:2484								

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS 6

COMMITTEE ON EDUCATION AND WELFARE (Article X. Public Officials and Employees)  
(Part II. Fire and Police Civil Service (continued))

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES	MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED	
								ARTICLE	SECTION	P.S. CITATION		SUFFICIENT AMENDMENT NEEDED AS IS
XIV	15.1(15)						X	33:2485				
	(16)						X	33:2486				
	(17)						X	33:2487				
	(18)						X	33:2488				
	(19)						X	33:2489				
	(20)						X	33:2490				
	(21)						X	33:2491				
	(22)	X	17				X	33:2492				
	(23)						X	33:2493				
	(24)	X	17				X	33:2494				
	(25)						X	33:2495				
	(26)						X*	33:2496				
	(27)						X	33:2497				
	(28)						X	33:2498				



1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

7

COMMITTEE ON EDUCATION AND WELFARE (Article X, Public Officials and Employees)  
Part II. Fire and Police Civil Service (continued)

1921 CONSTITUTION				1974 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION				
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES BY SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRE	
								R.S. CITATION	SUFFICIENT AMENDMENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED
XIV	15.1(29)						X	33:2499				
	(30)						X	33:2500				
	(31)						X	33:2501				
	(32)						X	33:2502				
	(33)						X	33:2503				
	(34)	X	20					33:2504				
	(35)						X	33:2505				
	(36)						X	33:2506				
	(37)						X	33:2507				
	(38)						X	33:2508				
(39)									X			

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

8

COMMITTEE ON EDUCATION AND WELFARE (Other Provisions)

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)		PROVISIONS REMOVED FROM 1921 CONSTITUTION					
ARTICLE	SECTION	ARTICLE SECTION	Transitional Provisions ARTICLE SECTION	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES		MATTERS TO BE HANDLED BY STATUTE		NEW STATUTE REQUIRE
						SUPER MAJORITY VOTE	R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	DRAFT DRAFT NEEDED
III	33									
VI	11	XII	8		X					
VI	12	XII	8							
VI	30 <sup>4</sup>			X						
XII	23	X	29							
XIV	15.2	X	29(D)							
XIV	17	XII	7							
XVIII	1-6			X						
XVIII	7	XII	8							
XVIII	8			X						
XVIII	9	X	29(B)							
XVIII	9.1	X	29(B)							
XVIII	10-12			X						

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON EDUCATION AND WELFARE (Other Provisions)

9

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION										
ARTICLE	SECTION	ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	UNCONST'L OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE				NEW STATUTE REQUIRED		
										R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	AMENDMENT PREPARED	DRAFT NEEDED	DRAFT PREPARED	
XIX	25	X	29 (C)				X									
XX	1															

<sup>1</sup> Details of existing provision is deleted, but commission is authorized to adopt rules relating to promotion, demotion, suspension, reduction in pay, removal, and all other personnel matters. Authorizes commission to impose penalties for violation of civil service rules.

<sup>2</sup>R.S. 33:2471-2591 repeat verbatim the provisions of the 1921 Constitution. The proposed constitution, X, §18, retains the provisions of Article XIV, §15.1 of 1921 Constitution that are not inconsistent with Article X, §16-20 of the proposed constitution, except legislature may by a two-thirds vote of elected members of each house amend or modify any of those provisions.

<sup>3</sup>R.S. 33:2471 must be amended to extend coverage to municipalities with a population exceeding 13,000 which operate regularly paid fire and police departments.

<sup>4</sup>Repealed by Acts 1968, No. 664, Adopted Nov. 5, 1968.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

ARTICLE XI ELECTIONS

January 31, 1974

COMMITTEE ON BILL OF RIGHTS AND ELECTIONS

PROVISIONS REMOVED FROM 1921 CONSTITUTION

1974 CONSTITUTION (PROPOSED)

TITLE	SECTION	ARTICLE	SECTION	TRANSITIONAL PROVISIONS ARTICLE SECTION	UNCONSTITUTIONAL OBSOLETE, ETC.	REPEALED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	R.S. CITATION AS IS	SUFFICIENT AMENDMENT NEEDED	MATTERS TO BE HANDLED IN STATUTES PRESENTLY IN STATUTES	NEW STATUTE
VIII	1	XI	2		X			R.S.18(entire)	X <sup>1</sup>		
	2										
PROXY	3				X						
	4					X					
	5					X					
	6					X					
PUBLIC	7		2								
	8		6								
	9					X					
	10					X					
	11					X					
	12					X					
	13					X					
	14					X					
	15		3								
POREIGN	16					X					

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

ARTICLES AND SECTIONS, continued

COMMITTEE ON BILL OF RIGHTS AND ELECTIONS

1924 CONSTITUTION (PROPOSED)				PROVISIONS REMOVED FROM 1921 CONSTITUTION						
ARTICLE	SECTION	TRANSITIONAL PROVISIONS	ARTICLE SECTION	UNCONSTIT'L OBSOLETE, ETC.	REPEALED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE REMOVED FROM 1921 CONSTITUTION			
							R.S. CITATION	SUFFICIENT AS IS	AMENDMENT NEEDED	REPEAL NEEDED
VIII	17		XI 2							
	18		11		X		R.S.18:Chaps. 1 and 1A		X2	
	19				X					
	20				X					
	21				X		R.S.18:107A-80		X3	
	22						" "	"	"	
	23				X					

Section 17 of Article 18 to be extensively amended to conform to new Section 2 as well as new Article I, Section 19.

Section 18 of Article 18 to be amended to conform to new Section 11 on registrars.

Section 19 of Article 18 involving absentee voters needs to be amended to conform to the right to vote provisions of Section 2 of Article 1, Section 19.

1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

January 31, 1974

COMMITTEE ON ARTICLE XII GENERAL PROVISIONS

Bill of Rights and Elections

1921 CONSTITUTION			1974 CONSTITUTION (PROPOSED)			PROVISIONS REMOVED FROM 1921 CONSTITUTION									
ARTICLE	SECTION	ARTICLE	SECTION	Transitional Provisions	ARTICLE	SECTION	UNCONSTITUTIONAL, OBSOLETE, ETC.	DELETED BY COMMITTEE	PLACE IN STATUTES SUPER MAJORITY VOTE	MATTERS TO BE HANDLED BY STATUTE			NEW STATUTE REQUIRED		
										R.S. CITATION	SUFFICIENT AMENDMENT AS IS NEEDED	AMENDMENT PREPARED	DRAFT	DRAFT	PREPARED
I	14	XII	2												
II	3	XII	11												
III	35	XII	10												
IV	16	XII	5												
XI	1	XII	9	XIV 34											X
XIII	7	XII	12												
XIV	17	XII	7												
XVIII	7	XII	8												
XIX	1	X	30												
XIX	2	XII	1												
XIX	8	XII	6												X
XIX	16	XII	13												
XIX	26	XII	10												
NONE		XII	3												
NONE		XII	4												
NONE		XII	14												



# Inventory of Committee Tapes

[ASTERISKS (\*) INDICATES TRANSCRIPTS MADE BY RECORDS COMMISSION]

Date	Tapes Number	Date	Tapes Number
EXECUTIVE COMMITTEE			
<i>Full Committee</i>		April 16, 1973	
January 23, 1973	1	April 17, 1973*	8
January 24, 1973	1	May 4, 1973*	
January 29, 1973	1	May 5, 1973*	5
February 12, 1973	1	May 18, 1973*	
		May 19, 1973*	7
		June 8, 1973	
		June 9, 1973	4
		June 14, 1973*	6
		June 22, 1973	1
COMMITTEE ON COMMITTEES		August 2, 1973	
<i>Full Committee</i>		August 7, 1973	
January 24, 1973		August 8, 1973	2
January 25, 1973	2	August 21, 1973	
		August 22, 1973	4
COORDINATING COMMITTEE		December 13, 1973	
<i>Sub-Committee on Alternatives</i>		December 14, 1973	
April 14, 1973	2	December 17, 1973	3
		December 18, 1973	1
COMMITTEE ON PUBLIC INFORMATION		COMMITTEE ON LEGISLATIVE POWERS AND FUNCTIONS	
<i>Full Committee</i>		<i>Full Committee</i>	
December 14, 1973	1	April 7, 1973	1
January 3, 1974	1	April 21, 1973	1
January 10, 1974	2	May 18, 1973	1
January 15, 1974	2	May 19, 1973	2
<i>Sub-Committee on Louisiana Hospital Television Network</i>		COMMITTEE ON EXECUTIVE DEPARTMENT	
March 23, 1973	1	<i>Full Committee</i>	
<i>Sub-Committee on Personnel (Selection of an Artist)</i>		March 15, 1973	
January 9, 1974		March 16, 1973	2
January 10, 1974	1	March 26, 1973	
<i>Sub-Committee on the Docket</i>		March 27, 1973	8
February 7, 1974	1	April 2, 1973	
		April 3, 1973	8
COMMITTEE ON RULES, CREDENTIALS, AND ETHICS		April 30, 1973*	
<i>Full Committee</i>		May 1, 1973*	
June 18, 1973		May 2, 1973	9
June 19, 1973	2	May 9, 1973*	
July 18, 1973	1	May 10, 1973	
		May 11, 1973	11
COMMITTEE ON BILL OF RIGHTS AND ELECTIONS		June 14, 1973*	
<i>Full Committee</i>		June 15, 1973*	
March 16, 1973		June 16, 1973*	14
March 17, 1973	4		
April 6, 1973			
April 7, 1973	6		



Date	Tapes Number
June 29, 1973	
June 30, 1973*	
July 1, 1973	9
August 8, 1973	2
<i>Sub-Committee on Powers and Duties of Other Elected Officials; and Boards and Commissions</i>	
June 7, 1973	
June 8, 1973*	6
<i>Sub-Committee on Powers of Governor, Qualifications, Term of Office, Salaries</i>	
June 8, 1973	
June 9, 1973	6
<i>Sub-Committee on Reorganization; Vacancies, Successions, Absence, and Disability; and Impeachment</i>	
June 9, 1973	
June 10, 1973	4

## COMMITTEE ON JUDICIARY

### *Full Committee*

March 2, 1973	5
March 9, 1973*	3
March 16, 1973*	5
March 23, 1973*	3
March 30, 1973*	5
April 13, 1973*	4
April 14, 1973*	3
April 20, 1973*	4
April 21, 1973*	8
May 11, 1973*	3
May 12, 1973	5
May 25, 1973	2
May 26, 1973*	2
June 1, 1973	6
June 8, 1973	6
June 15, 1973	
June 16, 1973	2

## COMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

### *Full Committee*

February 26, 1973	2
March 9, 1973*	
March 10, 1973	6
March 19, 1973	
March 20, 1973	8
April 9, 1973*	
April 10, 1973	6

Date	Tapes Number
June 1, 1973	
June 2, 1973	6
June 15, 1973	
June 16, 1973	5
June 28, 1973	
June 29, 1973	
June 30, 1973	9
September 7, 1973*	2
September 20, 1973	2
September 21, 1973	1
Unidentified	10
<i>Sub-Committee on Drafting—General Provisions</i>	
March 31, 1973	3
April 14, 1973	1
May 15, 1973	2
June 14, 1973*	2
June 23, 1973	2
<i>Sub-Committee on Finance</i>	
May 15, 1973	2
June 14, 1973	2
June 23, 1973	2
<i>Sub-Committee on Special Districts; Sewerage, Water, Levee and Other Related Districts</i>	
April 27, 1973	
April 28, 1973	4
May 15, 1973	1
<i>Sub-Committee on Special Districts; Transportation, Ports and Harbors</i>	
April 27, 1973	
April 28, 1973	1
May 5, 1973	2
May 15, 1973	2
May 25, 1973	
May 26, 1973	2
June 22, 1973	
June 23, 1973	2
<i>Sub-Committee on the Affairs of the City of New Orleans</i>	
April 20, 1973	2
May 7, 1973	3
June 23, 1973	
June 25, 1973	1

## COMMITTEE ON REVENUE, FINANCE, AND TAXATION

### *Full Committee*

March 16, 1973*	
March 17, 1973*	2

Date	Tapes Number
April 13, 1973.....	4
April 14, 1973.....	2
May 11, 1973.....	
May 12, 1973.....	6
June 8, 1973.....	1
June 9, 1973.....	3
June 14, 1973.....	
June 15, 1973.....	
June 16, 1973.....	7
June 22, 1973.....	
June 23, 1973.....	
June 25, 1973.....	
June 26, 1973.....	
June 27, 1973.....	
June 28, 1973.....	
June 29, 1973.....	
June 30, 1973.....	16
July 11, 1973.....	
July 12, 1973.....	4
July 18, 1973.....	1
July 26, 1973.....	
July 27, 1973.....	2
August 2, 1973.....	
August 3, 1973.....	2
<i>Full Committee</i>	
August 7, 1973.....	3
August 8, 1973.....	2
August 16, 1973.....	1
August 22, 1973.....	1
August 29, 1973.....	1
September 13, 1973.....	2
September 14, 1973.....	2
September 20, 1973.....	2
September 21, 1973.....	2
September 27, 1973.....	1
October 4, 1973.....	2
October 5, 1973.....	2
November 20, 1973.....	1
December 13, 1973.....	1
<i>Sub-Committee on Ad Valorem Taxation</i>	
March 30, 1973*.....	
March 31, 1973*.....	6
<i>Sub-Committee on Public Finance</i>	
March 17, 1973.....	2
April 6, 1973*.....	3
April 27, 1973.....	4

Date	Tapes Number
May 10, 1973.....	2
May 12, 1973.....	2
June 8, 1973.....	3
June 13, 1973.....	2
June 21, 1973.....	4
<i>Sub-Committee on Revenues other than Property Taxes</i>	
March 17, 1973.....	2
April 5, 1973*.....	5
May 10, 1973.....	3
June 22, 1973.....	1
<b>COMMITTEE ON EDUCATION AND WELFARE</b>	
<i>Full Committee</i>	
March 9, 1973.....	3
May 8, 1973.....	3
June 1, 1973.....	4
June 13, 1973.....	4
June 20, 1973.....	4
July 26, 1973.....	2
August 2, 1973.....	2
August 29, 1973.....	2
September 5, 1973.....	2
September 12, 1973.....	2
September 13, 1973.....	2
September 19, 1973.....	2
<i>Sub-Committee on Elementary-Secondary Education</i>	
March 20, 1973.....	2
April 3, 1973.....	4
April 4, 1973.....	1
April 10, 1973.....	2
April 17, 1973 (1:30 P.M.).....	1
April 30, 1973.....	2
May 1, 1973.....	2
May 10, 1973.....	2
May 28, 1973.....	3
<i>Sub-Committee on Higher Education</i>	
April 4, 1973.....	1
April 17, 1973 (1:30 P.M.).....	1
May 23, 1973.....	2
May 28, 1973.....	3
<i>Sub-Committee on Public Welfare</i>	
March 21, 1973.....	2

Date	Tapes Number
March 28, 1973 .....	2
March 29, 1973 .....	6
April 5, 1973 .....	5
May 2, 1973 .....	4
May 18, 1973 .....	3
May 25, 1973 .....	5
June 8, 1973 .....	4

# COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT

## *Full Committee*

March 23, 1973 .....	1
March 24, 1973 .....	4
April 9, 1973 .....	3
April 10, 1973 .....	5
April 16, 1973 .....	4
April 30, 1973 .....	5
May 7, 1973 .....	2

Date	Tapes Number
May 8, 1973 .....	4
June 15, 1973 .....	4
June 16, 1973 .....	3
June 18, 1973 .....	3
July 18, 1973 .....	
July 19, 1973 .....	2
July 26, 1973 .....	4
August 15, 1973 .....	1
August 22, 1973 .....	1
September 13, 1973 .....	1
September 14, 1973 .....	3
September 20, 1973 .....	5
September 27, 1973 .....	1
October 4, 1973 .....	2
October 5, 1973 .....	2
October 11, 1973 .....	3
November 14, 1973 .....	1
November 20, 1973 .....	2

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